

committee to count the vote for Governor and Lieutenant Governor.

Respectfully submitted,

NOEL K. BROWN,

Chief Clerk, House of Representatives.

The resolution was referred to the Committee on State Affairs.

#### Appointment of Pages.

I hereby name the following to act as Pages of the Regular Session of the Thirty-seventh Senate:

Joe Erwin, Hugh Jewett, Oliver Hyslop, Marvin Turner, William Dunn, Thomas Johnson, Newman Marshall, Fred Battle, Trenton Smith, Charley Lockhart, Maurice Hopkins, Tom Stanford, Albert Carlson.

PRESIDENT SENATE.

#### Appointment of Porters.

I hereby appoint the following Porters to serve for the Regular Session of the Thirty-seventh Senate:

Jack Blocker, head porter; Henry Green, Jasper Tune, Sam Grant, Monroe Williams, Max Blocker, Buck Green, James Lee, Arthur Evans, Ben Thompson, Lonnie Maderis.

PRESIDENT SENATE.

#### Engrossing Committee Appointed.

Senator Dudley moved that an Engrossing Committee be appointed.

The motion was adopted.

The following committee was appointed: Senators Harp, Floyd and Dorrough.

#### Adjournment.

On motion of Senator Woods, the Senate, at 11:45 a. m., adjourned until 10 o'clock tomorrow morning.

#### THIRD DAY.

Senate Chamber,  
Austin, Texas,

Thursday, Jan. 13, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum be-

ing present, the following Senators answering to their names.

Baugh.	Lewis.
Bledsoe.	McMillin
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Parr.
Cousins.	Rogers.
Darwin.	Suiter.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Witt.
Hall.	Wood.
Hertzberg.	Woods.

Absent.

Dorough.	Richards.
Page.	

Absent—Excused.

Bailey.	Harp.
Davidson.	Russell.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

#### Oath of Office Administered to Mr. Hornbuckle.

The Chair here administered the constitutional oath of office to Mr. Hornbuckle, Assistant Sergeant-at-Arms.

#### Excused.

On motion of Senator Wood, Senator Witt was excused for the balance of this week.

On motion of Senator Fairchild, Senators Dorrough and Richards were excused for the balance of this week.

#### Message from the House.

Hall of the House of Representatives,

Austin, Texas, Jan. 13, 1921.

Lieutenant Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted S. C. R. No. 1, providing for a joint committee to count the vote for Governor and Lieutenant Governor, with an amendment.

Respectfully submitted,

NOEL K. BROWN,

Chief Clerk,

House of Representatives.

**Bills and Resolutions.**

By Senator Floyd:

S. B. No. 33, A bill to be entitled "An Act separating the banking division from the insurance division of the Department of Insurance and Banking, heretofore administered by the Commissioner of Insurance and Banking, creating two separate and distinct departments of the State government, to be administered by two separate and distinct Commissioners; and to accomplish said purpose providing for two separate and distinct officers, to be known as the Commissioner of Banking and the Commissioner of Insurance, respectively, and abolishing the office of Commissioner of Insurance and Banking; prescribing the compensation, authority, functions, powers, duties, rights and liabilities of said officers; providing for deputy commissioners, clerks and employees; amending Articles 526, 529 and 531 of the Penal Code of Texas of 1911, Sections 3 and 16 of Chapter 32 of the General Laws of the First Called Session of the Thirty-third Legislature, Articles 3696, 3833, 3836 and 3844, and 6374, of the Revised Civil Statutes of 1911, Section 1 of Chapter 34 of the General Laws of the Third Called Session of the Thirty-fifth Legislature, Articles 2417 and 2418 of the Revised Civil Statutes of 1911, as amended by Chapter 145 of the General Laws of the Regular Session of the Thirty-sixth Legislature, all of which statutes relate to the duties and powers of the Commissioner of Insurance and Banking, and making said statutes conform to the purposes of this Act; providing that this Act shall be liberally construed to carry out its purposes; providing that the authority and power conferred on the Commissioner of Banking relative to warehouses and warehouse companies is not intended to be so conferred if a separate act confers it elsewhere; declaring an emergency and providing that the Act shall take effect and be in force on and after September 1, 1921."

Read the first time and referred to the Committee on Insurance and Banking.

By Senator Woods:

S. B. No. 34, A bill to be entitled "An Act to amend Section No. 8 of Chapter No. 167 of the Laws passed by the Thirty-sixth Legislature of Texas at its Regular Session in 1919,

entitled 'An Act to create a State Board to be known as the State Board of Control,' and declaring an emergency."

Read the first time and referred to the Committee on Finance.

By Senator Rogers:

S. B. No. 35, A bill to be entitled "An Act providing for recording registration certificates of pure bred sires in the County Clerk's office; making it a misdemeanor for any person, firm, association or corporation to offer the services for a fee or permit the service for a fee of certain animals, unless registration certificates shall have been recorded in the County Clerk's office, and prescribing a penalty for the violation hereof, and declaring an emergency."

Read the first time and referred to the Committee on Stock and Stock Raising.

By Senator Cousins and Buchanan:

S. B. No. 36, A bill to be entitled "An Act to regulate domestic relations by prescribing pre-requisites to the issuance of license to marry, and by prescribing procedure in suits for divorce and to annul marriage, and by prescribing means and procedure for the enforcement of the obligation of the father of legitimate minor children for their support and maintenance, and declaring an emergency."

Read the first time and referred to the Committee on Civil Jurisprudence.

By Senator Cousins:

S. B. No. 37, A bill to be entitled "An Act authorizing the City Council or Commission of any incorporated town or village of five thousand or less inhabitants to employ an attorney for the purpose of collecting delinquent city taxes, where there is no City Attorney or where the City Attorney is disqualified or fails or refuses to institute and prosecute suit or suits for the collection of such delinquent taxes, and providing method of compensation for such attorney, and declaring an emergency."

Read the first time and referred to the Committee on Civil Jurisprudence.

By Senator Bledsoe:

S. B. No. 38, A bill to be entitled "An Act creating, establishing and providing for the maintenance of a State Tuberculosis Sanatorium for

Negroes, and declaring an emergency."

Read the first time and referred to the Committee on Public Health.

By Senator Bledsoe:

S. B. No. 39, A bill to be entitled "An Act to amend Section 1, Chapter 140 of the Acts of 1917, being Article 3934½ of Complete Texas Statutes, compiled by Vernon Law Book Company, and providing that said Act shall not apply to manufacturing establishments, industrial plants and grain elevators, where such establishments, plants, elevators and the buildings of said concerns are constructed of fireproof material, and in which sleeping apartments above first floor are not provided, and in which persons under the age of sixteen years are not employed above the first floor, and declaring an emergency."

Read the first time and referred to the Committee on Civil Jurisprudence.

By Senator Witt:

S. B. No. 40, A bill to be entitled "An Act relating to vehicles and their use on the public highways of this State; providing for the registration of motor vehicles and trailers, and regulating the sale and transfer thereof; directing the disposition to be made of license fees collected under this Act, and repealing all laws and parts of laws in conflict herewith."

Read the first time and referred to the Committee on Criminal Jurisprudence.

By Senators Bledsoe and Dudley:

S. J. R. No. 1, proposing an amendment to Section 2, Article 6 of the Constitution of the State of Texas by providing that only native born or naturalized citizens of the United States shall be qualified electors in this State, and permitting either the husband or the wife to pay the poll tax of the other and receive the receipt therefor, and permitting the Legislature to authorize absentee voting."

Read the first time and referred to the Committee on Constitutional Amendments.

By Senator Bledsoe:

S. J. R. No. 2, proposing an amendment to Section 3 of Article 7 of the Constitution of the State of Texas by limiting the amount of the

poll tax collected by the State to fifty cents; giving the Legislature authority to authorize incorporated towns and cities to collect a poll tax not to exceed fifty cents and by counties not to exceed twenty-five cents.

Read the first time and referred to the Committee on Constitutional Amendments.

#### Simple Resolution No. 5.

Resolved, That the President of the Senate be authorized to have a locksmith repair the damaged locks to the lockers of the Senators, and that new locks be placed where needed; also, that the Senators be given the keys to their respective lockers. Payment for the locksmith's services and materials be paid for out of the Contingent Expense Fund of the Senate.

McNEALUS.

The resolution was read and adopted.

#### Providing for Postage Stamps.

Senator Clark moved that \$2,000 be authorized out of the Contingent Expense Account for purchase postage stamps for the Senate.

The motion was adopted.

#### Senate Concurrent Resolution No. 1.

(House Amendments Concurred In.)

The Chair here laid before the Senate S. C. R. No. 1, with House amendments. The resolution was to provide a joint committee of the Senate and House to arrange for canvassing the vote for Governor and Lieutenant Governor, and arrange for their inauguration. The resolution provided for three members of the Senate and five members of the House. The House amendment provided for five members of the Senate and seven members of the House.

Senator Woods moved that the Senate concur in the amendment.

The motion was adopted.

#### Relating to Committee Appointment.

Austin, Texas, Jan. 13, 1921.

Lieutenant Governor Johnson and Lieutenant Governor Davidson.

Gentlemen: My private business

at this time is of such nature that I will be called away from Austin, at times, and in the interest of efficiency and in order that business may be dispatched rapidly, I earnestly request that you do not appoint me as Chairman of any standing committee of this, the Thirty-seventh, Legislature.

Very respectfully,

A. C. BUCHANAN.

The above communication was laid before the Senate and read.

#### Executive Messages.

Miss Houghton here appeared at the bar of the Senate and presented the following Executive Messages:

Governor's Office,

Austin, Texas, Jan. 12, 1920.

To the Thirty-seventh Legislature in Regular Session.

Gentlemen: The condition of the various Departments and institutions of the State Government has kept pace with the progress of other phases of the Government. In almost every instance the biennial reports of the respective Departments and Institutions show large increase over the volume of business heretofore handled.

Inasmuch as these reports are to be printed for distribution among the members of your body, I shall not encumber your Journal with an exhaustive review of the contents of the respective reports, and shall communicate to you only that portion which will enable me to comply with the provisions of the Constitution requiring the executive to communicate to the Legislature with respect to the conditions of the State.

#### State University.

I am advised that the biennial report of the Board of Regents is now in course of preparation and in the hands of the printer and will be available to your membership as soon as it is off the press.

During the session of 1919-1920, there were enrolled in all the departments of the University 7,044 students, distributed as follows:

In the Main University—long session. . . . .	3,977
In the Medical Branch. . . . .	356
In the College of Mines and Metallurgy. . . . .	142
Total long session attendance. . .	4,475

The Summer School session of 1919 enrolled 1,764 and the Bureau of Extension, during 1919-1920, enrolled 1,212.

The Board of Regents has presented to the Board of Control its estimate for maintenance for the next two years, amounting to \$1,663,357 per year, which I am informed has been reduced by the Board of Control in the amount of approximately a half million dollars. I am informed by the President that this reduction of the estimate of the Regents made by the Board of Control will cripple the University so as to make it practically impossible for it to perform its function. I believe the University of Texas should be what the founders of Texas intended—an institution of the first class, and I believe it is the duty of the Legislature to make ample provision for maintaining that standard and affording ample room for all of the young men and women who seek entrance within its doors.

#### Agricultural and Mechanical College.

The attention of the Legislature is directed to the continued growth of this institution since it was established. During the last regular session, 1,902 students were enrolled, with an additional enrollment of 1,977 students during the summer session, making a total enrollment of 3,779 students for the twelve months period ending September 1st, 1920. The estimated regular session enrollment in the current year is more than 2,000. The attendance during the session ending September 1st, 1920, was slightly more than 50% greater than any pre-war year.

From the Extension Department of the College, Farm and Home Demonstration Agents have been placed in most of the populous counties of the State. The annual report of the College discloses 134 county agents and assistants and 59 home demonstration agents. This work of the College is financed jointly by the Federal and State Governments.

Under the direct supervision of the College authorities are the Agricultural Experiment Stations of the State, comprising the Main Station located at the College, with 14 substations distributed throughout the State. The work undertaken and performed by the Agricultural Experiment Station System is that of supplying useful knowledge for more scientific methods of cultivation of

field crops and the more economic production of live stock.

#### John Tarlton Agricultural College.

This institution is a branch of the Agricultural and Mechanical College having been established at Stephenville by an Act of the Thirty-fifth Legislature. The report discloses that this institution has shown considerable growth since its organization having enrolled during the last scholastic year 612 students.

#### Grubbs Vocational College.

As is provided by the Act of the Thirty-fifth Legislature establishing this institution, it is made a branch of the Agricultural and Mechanical College. During the past scholastic year the enrollment at this school was 444 students.

#### Prairie View Normal and Industrial College.

This is the only institution of higher learning in the State for the education of our Negro population. It is a land grant college and, as such, is under the direction of the Board of Directors of the Agricultural and Mechanical College of Texas. This institution offers instruction in agriculture, home economics, and mechanical arts, including useful trade courses, and also serves as a normal school for training normal teachers. The institution has a faculty of 63 and had a total enrollment during the past scholastic session of 1,924 students.

#### College of Industrial Arts.

The attention of the Legislature is invited to the 9th Biennial Report of the College of Industrial Arts, with special attention to the phenomenal growth of this institution since its opening in September, 1903. During the first six years of the operation of this College, courses of study covering a two-year period only were offered. For the next five years, the course of study was increased to cover one to three years of college work, since which time the College has offered courses of study covering one to four years' work.

The total matriculation for the first six years numbered 1,460. During the next five years, this number increased to 2,343, while the number enrolled during the last six years was 9,353 girls, and an enroll-

ment the past session of 1,462 during the regular session and 666 for the summer session a total of 2,218, or, in other words, during the session ending in 1920 there were enrolled in the College 768 more students than the total matriculation during the first six years.

Approximately 60% of the student body comes from rural communities and from farm and ranch homes, the remaining 40% being distributed among the homes whose support is derived from practically all other standard vocations. Geographically, the students are from 80% of the counties of Texas located in every section of the State.

In connection with the report of this institution, the attention of the Legislature is invited to the recommendations made by the Board of Regents with respect to the future of this important institution.

#### The State Department.

During the period covered by the biennial report, the net receipts of the State Department for the two fiscal years ending August 31st 1918-August 31st, 1920, have totaled \$2,364,074.98. The total receipts of this Department for the two fiscal years preceding were \$1,593,491.55, showing an increase in favor of the last two years in the sum of \$770,583.43.

The appropriation made for the Department by the Legislature for the two years ending August 31st, 1921, was \$59,240; deducting this appropriation from the net receipts of the Department for the biennium ending August 31st, 1920, will leave a net profit in favor of the Department in the sum of \$2,304,834.98. The business of the Department as revealed in the report thereof discloses that the increase has exceeded 67 per cent over the two years just prior thereto.

An interesting feature of the report is that the present incumbent in that office is of the opinion that notwithstanding the continued anticipated increase in the business of the Department the present office force will be entirely sufficient to take care of it expeditiously and satisfactorily.

I invite your attention to that portion of the report of the Secretary of State with respect to his recommendations concerning a change in a number of the Corporation Laws.

## State Board of Control.

The report covered by this Department embraces only one year, in that the Department is practically in its infancy, having begun operations January 1st, 1920. The Board of Control was created by an Act of the Thirty-sixth Legislature during the Regular Session, but a subsequent amendment, the date of its organization was made effective January 1st, 1920.

The duties of the Board contemplate the administration of the laws relating to the various offices, departments, boards and institutions which were consolidated by terms of the Act, namely, the State Expert Printer, the State Purchasing Agent, the State Superintendent of Buildings and Grounds, the State Inspector of Masonry, Public Buildings and Works, the Board of Public Printing, and the Board of Managers of each and all of the eleemosynary institutions of the State.

The Board under the terms of the Act is authorized to combine its work into such divisions and subdivisions as may be necessary to accomplish the purposes for which it was created.

Through the division of public printing is handled all of the stationery and printing requirements of the State, aggregating approximately \$400,000.00. Since the operation of the Board began this division alone has effected a material reduction in the annual cost of stationery and printing. An explanation of the manner in which this was accomplished is embraced in a copy of the printed report of the Board to which your attention is invited. A conservative estimate on one class of stationery contract alone has been placed at \$35,000 to \$50,000 per year.

Through the purchasing division of the Board, all the supplies used by the various institutions and departments with the exception of the Prison System are purchased. The purchases are made upon a competitive basis by sealed bids and the contracts and purchases handled by the Board during the past year aggregated approximately \$4,000,000.

The Board has installed an up-to-date system of bookkeeping and has made provision for the checking of all bills before being passed to the Comptroller for payment. The bill is not only applied to the contract

but the extensions and footings on each invoice are verified, the result of which has been the discovery of numerous mistakes most of which I am informed have been against the State.

An interesting feature of the report is disclosed in the fact that the cost of operating these departments under the Board of Control is only \$744.56 per month more than under the old method, which amount is greatly overbalanced by the saving effected annually in the purchase of supplies, etc.

The report as it will be presented by the Board embraces a number of recommendations with respect to needed amendments to the present law and I recommend your careful consideration of the amendment suggested.

## The Attorney General's Department.

The biennial report of the Attorney General is at this time in the hands of the printer, but will be available for your membership shortly.

A summary of the report as furnished by the Attorney General discloses that the business of the Legal Department of the State Government for the past two years is greater than that of any other biennial period. This increase is accounted for by reason of the general increase of business following the close of the war and the various new laws enacted assigning additional duties to that Department.

During the biennial period just closed, the Department handled a total of 347 cases and disposed of 217. The Department has rendered 305 formal opinions and has written approximately 33,000 letters.

Through the efforts of the Attorney General, the State during the past biennium recovered 15,708.7 acres of land. In the cases now pending before the courts, a total acreage of 126,401 acres is involved exclusive of the land involved in the Red River Boundary suit. Since the close of the fiscal year, there has been recovered in the Capitol Syndicate case 60,896 acres of land.

Each of you, of course, is familiar with the Red River Boundary suit which involves approximately 1,000 miles of the northern and western boundary of Texas and is the largest suit of its character ever filed in the Supreme Court of the United States. This case alone during the past biennium has engrossed the attention of a large portion of the lawyers and

clerical force of that Department continuously during the past two years.

The record of the present Attorney General, Hon. C. M. Cureton, with his able corps of assistants, is without parallel. The legal victories won by and for the State during the last four years in a period of new and far-reaching laws and the settlement of many cases involving State property of large value give evidence of how fortunate the State is to have this important Department in hands as watchful of the State's interests and so capable of defending them.

The Department has approved 1,347 bond issues involving a total indebtedness of \$91,907,761.02.

Your earnest attention to the recommendation of the Attorney General as embraced in his printed report is cordially invited.

#### The Department of Insurance and Banking.

Reference is here made to the Forty-fifth Annual Report of the Commissioner of Insurance and Banking. Particular attention of the membership of your body is invited to the recommendations as contained in the report, some of which I believe are necessary to the further development of the State Banking system, which has shown a steady growth during the past few years. I am cognizant of the difficulty experienced by that Department during the past three years in procuring competent Bank Examiners, and in maintaining a sufficient staff to meet the requirements of the State, by reason of the insufficient compensation paid them. The Commissioner, in his report, has made recommendations with respect to this matter, to which I urge your careful consideration.

#### The Treasury Department.

The report of the Treasury Department covering the past biennium contains the information that the general revenue account at the close of this fiscal year has reached the highest point in the history of the State, the amount to the credit of the general revenue account being \$8,840,758.79. The balance to this account on September 1st, 1919, was \$4,632,416.81, which was the highest sum remaining to that account up to that time. When the Automatic Tax Board met, the sum of \$5,336,275.59 was in the Treasury unappropriated, and in fixing the tax rate this sum was taken into consideration.

The permanent school fund credit exceeds any sum to its credit prior to this time, the bonds of the fund having increased more than \$3,000,000.00 during the past two years. There is a balance in the available school fund of \$1,713,817.01, which balance is considerably greater than the balance in the fund at any previous time.

I have communicated to you in a separate communication the earnings of the State, by reason of investments in United States Government Securities made by the Treasurer under authority given by the Legislature, and in my communication with respect to the enactment of a Depository Law is disclosed the earnings of the State under this statute. The Depository System is composed of 87 National and 118 State Banks.

It is gratifying to communicate to you the condition of the Treasury, which is better than at any time previous, and I respectfully urge your interested consideration of the printed report when it is available.

#### The Comptroller's Department.

The Report of this Department simply coincides with that of the Treasury Department with respect to State funds. I am unable to give you a summary of this report which is now in the hands of the printer and will be distributed among your membership as soon as the printed copy is available.

#### General Land Office.

The increase in the volume of business handled was perhaps greater in the Land Office than in any other department of the State Government. This large increase was due to the discovery and the development of the oil resources of the State.

The report of the Commissioner not only contains a review of the business transacted during the past biennium but gives an interesting history of the growth and development of the oil industry in Texas, as well as much historical data with respect to the Land Office.

The remittances received by the Department during the last biennium amounted to \$7,699,418.96, which exceeded the receipts of the previous biennium by \$3,170,712.18. The sale of all of the surveyed public school land was practically completed May 2nd, 1920. The Commissioner advises that there will

be some further sales by reason of forfeiture as well as a few unsurveyed scraps which will be found. He reports the total permanent school fund to be \$71,892,959.93 received from the sale of school land, including receipts from some mineral developments.

#### State Highway Department.

The report of this Department discloses that the State's share of the revenue from Motor Vehicle Registrations was \$3,439,969.64, of which amount \$2,873,225.56 was available for State aid.

During the period of 1916-1920, Texas pro rata share of Federal aid was \$16,100,404.77. On December 1st, 1920, the Department was engaged with a total of 384 active projects, an increase in the two years of 258. Involved in this work is mileage to the extent of 4,082 miles, an increase over the last two years of 2,576 miles. Of this amount, 976 miles have been completed and are under maintenance, with 2,039 miles at present under construction.

The increase in the amount of Federal aid appropriated to active projects during the past two years was \$11,294,481.86; the increase in the State aid allotted during the two years being \$1,681,382.68, with a balance in the State Highway fund of \$2,365,368.32.

The total operating expenses of the Department for the biennium just closed were \$329,606.05.

The registration of motor vehicles has increased during this period from 250,201 to 422,476.

The Department has received from the Federal Government equipment appropriations: 1,161 trucks, 168 automobiles, miscellaneous construction equipment to the value of \$970,462, or a total of \$4,335,091. A large portion of this equipment has been distributed to the various counties of the State including 1,006 trucks and 120 automobiles.

#### State Health Department.

This Department has perhaps accomplished more during the past biennium than during any other period of its existence. One of the first acts of the Department under the new administration was to cause to have made an indexical survey of the health conditions throughout the various sections of Texas. The result of this survey has been compiled and completed and will be at the disposal of

your membership as soon as publication is completed.

In accordance with an Act of the Thirty-sixth Legislature, the border and coastal quarantine has been transferred to the Federal Government. That Act provided for the sale of this property to the Federal Government but the Department has been unable to close the contract on account of the inability of the Attorney General to prepare proper papers, which is brought about by defects in some of the titles.

From the efforts of the Department, the American Red Cross has made available for public health work under the direction of the State Health Department \$250,000 annually, and through the cooperation of the Red Cross organization, the Department was enabled to organize a Bureau of Child Hygiene, through which much good has been accomplished.

In July of the past year, the Department was confronted with a very grave problem when bubonic plague made its appearance in the cities of Galveston and Beaumont. By reason of this menace, the State and Federal governments and the municipalities involved expended approximately one million dollars in the plague work. Apparently the work accomplished by the Department has been more effective than has been the case in any other infected district or port. It has been more than two months since a case of human plague has been reported and more than six weeks since an infected rodent has been found.

The recommendations of the State Health Officer as contained in his printed report are commended to your consideration.

#### The Department of Agriculture.

The report of this Department discloses the various lines of activities engaged in by it, together with the results accomplished. In the report, which is available for your membership, you will find that the retiring Commissioner has made a number of recommendations which he deems important to the welfare of that Department.

#### Pure Food and Drug Department.

There is contained in the Sixth Biennial Report of the retiring Commissioner, R. H. Hoffman, Jr., much interesting data and valuable information with respect to the functions performed by the Department.

A comparison is made in this report of the work of this Department with that of the United States Food and Drug Department which discloses that the appropriation for the past fiscal year of the United States Food and Drug Department was \$893,426.06 as compared with \$54,950 for the State Food and Drug Department. The United States Department procured 244 criminal convictions as against 573 by the State Department. The Federal Department collected in fines \$18,160 as against \$22,105.15 collected by the State Department. In addition to the fines collected, this Department collected in fees \$10,185.25.

The total number of samples of food and drugs analyzed by the Texas Department was 5,816. A total of 538,142 pounds of food unfit for human consumption was destroyed.

I invite the special attention of the Legislature to the recommendations with respect to this Department as are contained in the report.

#### State Fire Insurance Commission.

Perhaps one of the most interesting features of the report of this Department is revealed in the efforts of the Commission to eliminate therefrom all political positions, substituting therefor employees based entirely upon their qualifications and ability to serve the State efficiently. The Commission in the selection of employees have been governed by strict standards of business efficiency rather than by political standards. This is largely in accord with the Civil Service, the standard governing a large majority of the positions in our Federal Government.

The report discloses that some 78 towns and cities have been inspected and re-rated during the past year. During the year 1918, good fire record credits were extended to 87 cities and towns amounting to approximately \$424,620.84. During the year 1919 additional credits were granted to 107 cities and towns approximating \$647,770.95.

The funds for the maintenance of this Department are derived from a tax of 1¼ % of the gross fire insurance premiums collected in this State, the tax being collected from the fire insurance companies doing business in Texas. Up until an amendment was adopted by the Third Called Session of the Thirty-sixth Legislature increasing the maximum expenditures to \$212,500 per year, the maximum

amount which could be expended by the Commission per year was only \$130,000. The Commission believes that with the additional funds made available by this amendment to the law, the Department will be able to increase to a very large extent the work which has heretofore been accomplished by the limited funds at its disposal.

#### Game, Fish & Oyster Commission.

The report of this Department discloses that the net revenues of the Department during the past year were greater than the combined revenues for the preceding four years. It is also shown that during the past biennium there has been a very decided increase in our native game and the Commissioner discloses in the report the reason of this increase. Attached to the Report of the Department is a complete financial statement covering the receipt and disbursement of money which gives an itemization of the various sources from which the revenues of the Department are derived.

#### Industrial Accident Board.

The report filed by this Department discloses that the total number of accidents reported during the past fiscal year was 66,000, with a total of 400 fatalities. Out of the number of accidents embraced in these figures, the Board adjusted some 609 disputed claims, from which adjustments 128 appeals have been taken to the Courts. Embraced in the report made by this Department are a number of recommendations to which your attention is invited when the printed report is available.

#### Industrial Welfare Commission.

This Department was created by an Act of the Thirty-sixth Legislature and embraced in a report of the Secretary are recommendations with respect to the needed amendment for the perfection of the Act itself. The report gives an exhaustive survey of the work done by the Department to which your interested attention is invited.

#### Bureau of Labor Statistics.

By referring to the Sixth Biennial Report of this Department an idea of the work undertaken and accomplished will be had. Embraced in the report is a large volume of statistical data which I am sure will prove in-

teresting to your membership as you find an opportunity for its perusal.

#### Warehouse and Marketing Department.

The Report of this Department reveals that its work is divided into four divisions.

The Warehouse Division, which has under its supervision 122 Warehouse and Marketing Organizations, 102 of which are actively engaged in the business. A total of 330 warehouses are under the direct supervision of the Department, 90 new Warehouse and Marketing Organizations having been incorporated during the past biennium.

The Marketing Division, organized September 1st, 1919, was made possible by an appropriation for that purpose at the hands of the Thirty-sixth Legislature. In a summary of the amount of produce handled through the agency of this Division, the value of same is given as aggregating approximately \$3,454,000.

The Division of Weights and Measures was also provided for by an Act of the Thirty-sixth Legislature. This Division has under its supervision the Uniform Weights and Measures Law.

The Gin Division has under its supervision 3,415 gins which the Department under the law is required to inspect annually.

I cannot too strongly urge not only the continuance but the strengthening of the work of this Department as organized at the present time. It should be provided with all facilities essential towards realizing the purposes which caused its creation.

A Warehouse and Marketing System is always urgent in a State whose basic industry is agriculture. Such a Department now, however, is of unusual importance because of the general demoralization which has prevailed in the past few months and continues to prevail in all markets where agricultural products are sold.

I believe that a perfected Warehouse and Marketing System such as this Department is seeking to weld together should receive encouragement and support at your hands to the end that the agricultural interests of the State may be served in the more practical manner.

I also urge the enactment of such legislation as will permit farmers to form cooperative organizations to assist and protect them in the most profitable and feasible system of marketing that may be put in operation.

#### State Normal Schools.

This branch of the State educational institutions embraces six Normal Schools as follows:

Southwest Texas State Normal  
 .....San Marcos, Texas  
 North Texas Normal...Denton, Texas  
 West Texas Normal.Canyon City, Texas  
 East Texas Normal.Commerce, Texas  
 Sul Ross Normal.....Alpine, Texas

During the past two years, the report of the Board of Regents of these institutions is authority for the fact that normal college standards have improved materially. The work of elementary character and the work of college rank have been greatly differentiated, which assures more efficient instruction in both college and elementary courses.

Attention in this report is directed to the necessity of good salaries in order to procure high class talent in the faculty of the Normal Colleges, the main duty of which is to train the public school teachers.

At the crisis in Normal School salaries the Special Session of the Thirty-sixth Legislature made an appropriation enabling the Normal Schools to increase the salaries of teachers in an amount of approximately 20%.

#### State Reclamation Department.

The biennial report of the State Reclamation Engineer is at this time in the hands of the printer and will shortly be available to your membership.

#### Board of Water Engineers.

The report of this Department as submitted to me has been transmitted to the printer and will be distributed among your membership as soon as the printed copies are available.

#### Commission of Appeals.

Since the Commission of Appeals was created I am advised that 450 causes have been referred to it by the Supreme Court. Of this number, 392 have been disposed of, 80 of which have not been finally adopted by the Supreme Court, 44 are now under submission before the Commission and the 14 remaining have been set for hearing.

The data given above discloses the effective work done which has assisted materially in relieving the congested condition of the Supreme Court docket.

## Prison Commission.

The importance of this branch of the State Government is such that I deem it advisable to communicate same to you in a separate message.

## Other Departments.

I am unable to give you a summary of the business transacted by the Departments omitted by reason of the fact that the biennial reports of same are now in the hands of the printer and are unavailable for use. I invite the attention of your membership to these printed reports when they are made available.

Respectfully submitted,  
W. P. HOBBY,  
Governor.

## Governor's Office.

Austin, Texas, Jan. 12, 1921.

To the Thirty-seventh Legislature in Regular Session.

Gentlemen: Deficiency appropriations for the support and maintenance of various departments and institutions of the Government authorized, pursuant to that provision of the law, are as follows:

## Dept. of Education—

Contingent Expenses...\$ 500.00  
Text Book Commission.. 750.00

## A. and M. College—

Animal Husbandry.... 5,000.00  
Arch. & Arch. Engineer-  
ing ..... 1,000.00  
Chem. & Chem. Engi-  
neering ..... 5,000.00  
Dairy Husbandry..... 3,000.00  
Horticulture ..... 2,500.00  
Mil. Sc. & Tactics..... 1,500.00  
Physics ..... 1,000.00  
Poultry Husbandry.... 750.00

\$19,750.00

## A. and M. College—

Repairs to Buildings..\$10,000.00  
Outside improvements  
including drives,  
fences, shade trees  
and grading ..... 5,000.00  
Furniture and Equip-  
ment for dormitories 4,000.00  
Five cottages for each  
year ..... 6,000.00  
Extension of sewer,  
water mains and  
plumbing ..... 4,000.00

\$29,000.00

## State Library—

Stationery, miscellane-  
ous supplies, postage,  
freight, and express.\$ 1,000.00

Adjutant General's De-  
partment—

Moneys for transporta-  
tion, subsistence and  
all other expenses of  
military forces when  
ordered by the Gov-  
ernor under the au-  
thority of the Consti-  
tution and laws of  
this State..... 17,000.00

## State Tax Commissioner—

Appropriation for extra  
help ..... 200.00

Grand Total .....\$68,200.00

Respectfully submitted.

W. P. HOBBY,  
Governor.

## Governor's Office.

Austin, Texas, Jan. 12, 1921.

To the Thirty-seventh Legislature in Regular Session.

Gentlemen: In accordance with a resolution adopted by the Thirty-sixth Legislature, I requested the State Department of Health to make an inspection and report on the condition of the various asylums and hospitals for the insane, in this State.

A close inspection was made by that Department, and I am transmitting herewith for the information of your membership, the report of the State Health Officer with respect thereto.

Respectfully submitted.

W. P. HOBBY,  
Governor.

## Texas State Board of Health,

Austin, Texas, July 12, 1920.

Hon. W. P. Hobby,  
Capitol,

Austin, Texas.

Dear Sir: Herewith I transmit to you report of inspection of the various insane asylums of the State. The numerous demands on this department account for the delay in preparing this report for you.

I wish to say, however, that the inspection was very carefully and thoroughly made, and I am sure you will find it a good index to the condition and needs of these institutions.

Yours very truly,

C. W. GODDARD;  
State Health Officer.

Texas State Board of Health,  
Austin, Texas, May 15, 1920.  
Hon. W. P. Hobby,  
Governor of Texas,  
Austin, Texas.

Dear Sir: I transmit herewith report of inspection of the various asylums and hospitals for the insane, made by this department between the 17th and the 29th of March, 1920, in obedience to your request and resolution adopted by the Thirty-sixth Legislature.

It is not considered within the province of this report to bring to your attention the many points of excellency in the establishment and management of each of the institutions for the insane, knowledge of which you may have from other sources, but to call more especially to your attention certain needs of these institutions, which, if relieved by proper authority, will result in their improvement. Because of the emphasis placed upon these needs, it should not be concluded that our institutions for the insane are not as ably and efficiently managed as could be expected with these needs taken into consideration.

#### ASYLUMS AND LOCATION.

##### State Lunatic Asylum, at Austin.

The State Lunatic Asylum, at Austin, occupies one of the most beautiful and picturesque locations in the State. It is situated on a natural elevation overlooking the city of Austin and the beautiful Colorado River, with gentle slopes which give perfect natural drainage; and it seems to one in going over these beautiful grounds that the great works of Nature especially prepared this wonderful place for the poor unfortunates committed to this institution, many of whom will spend their earthly allotted time within its confines.

##### Southwestern Insane Asylum.

The Southwestern Insane Asylum is located three or four miles south, or rather southeast, of the city of San Antonio, on the crest of a most attractive elevation overlooking the city and the beautiful San Antonio River. It has a perfect, natural drainage from every angle of the compass, and the high rolling country in this vicinity makes it an ideal location for an institution of this kind.

##### North Texas Hospital for the Insane.

The North Texas Hospital for the Insane is located about one mile northeast of the city of Terrell, on a beautiful anticline which is well drained in every direction.

##### East Texas Hospital for the Insane.

The East Texas Hospital for the Insane is located about one mile northwest of the town of Rusk, at the foot of a very beautiful and picturesque range of hills, for which this part of Texas is noted. This is on the site of the old penitentiary, the prison building having been overhauled and converted into a splendid hospital for the insane.

#### Buildings.

State Lunatic Asylum, at Austin.—Some of the buildings of this asylum were constructed over sixty years ago, when about the only idea of construction of buildings for hospitals for the insane was to have four walls and a roof. The outer walls of these old buildings are substantially constructed of stone, and are in a splendid state of preservation; but their wooden floors are rotted in places and are, for the most part, so badly worn that, when scrubbed, the water leaks through and damages the ceiling and walls below. The wooden floors should be torn out and replaced with floors of cement or tile construction, which would add greatly to the durability of the buildings, the sanitation and other conveniences of the Institution. Throughout the earliest constructed of the buildings, the ceilings as well as the floors should be replaced with new construction. At comparatively small cost, these old types of building can be converted into modern fire-proof structures. This is particularly true of what are known as the administration building, the north building and the west wing, containing the female wards, the main part of which was built about forty years ago.

In all bathing rooms in the old buildings, cement floors have been substituted for the wooden ones, in order to obtain better sanitation and save deterioration.

In convalescent female ward No. 2, in west wing, the bath and toilet room should be rebuilt, as it is a menace to the safety of the patients; and the same is true of the old bath rooms and toilets to the north building for male

patients, these portions of the structure of the buildings being in a weakened condition.

At female ward for excitable patients, on the third floor of west wing, the roof was found to leak in places, and the ceiling was needing considerable repair.

The interior of C-west ward, for worst women patients, was badly in need of paint.

In west wing convalescent female ward, the clothing room is too small.

Hospital No. 2 for males has a capacity of fifty-one patients, there being forty-nine in this hospital the day of this inspection, March 17, 1920. The patients kept here are a very helpless class, as among them are epileptics, idiots and imbeciles. This is mentioned to emphasize the fact that the building is not fire-proof. It was formerly a laundry building, but was converted into a hospital about six years ago.

The female infirmary for white patients is a three-story building, situated two hundred to three hundred feet southwest of the west wing of the main building. The operating room is on the third floor, and, as there is no elevator to this building, patients who are operated on have to be carried on stretchers up three flights of stairway. There is an elevator shaft, however, and an elevator should be installed by all means. There should be cement walks to the main building and other female wards for the more convenient transfer of patients.

This hospital is not a fire-proof building, but in all respects, other than the needs mentioned above, it seems to be ample for its purpose.

The colored female hospital is a modern, well-designed and substantial building, and is fire-proof, except that the ward floors are of wood.

None of the other negro buildings are fire-proof. The metal ceiling in nearly all of them is so badly rusted, due to leaking of roofs and floors, that it should be replaced with new ceiling. These buildings should have concrete floors throughout.

The tubercular ward for white men is not fireproof and fire escapes are needed.

The large dining hall and kitchen occupy the first floor of a building which stands a short distance back of the Administration Building. An average of 1000 patients eat their meal three times a day in this hall the year around. It is heated only from the open kitchen to one side and by pipes

passing through, carrying steam to the kitchen. This heating is very inadequate.

The metal ceiling is rusted away in places; the tile floor in the kitchen is badly worn and the screening was in need of repair.

The dance hall is above the dining hall. The roof needs repairing; or, in fact, it might be economy to have a new roof. All flooring except that of the kitchen is of wood. The building, therefore, is not fireproof.

It should be said that the recently constructed buildings of this institution possess the most modern conveniences of hospitals for the insane.

Southwestern Insane Asylum at San Antonio.—The original building of this institution was constructed nearly thirty years ago. The interior was found to be in need of paint, though it has been painted several times within the last four or five years and was painted the last time about a year and a half ago. The floors are of wood and are badly worn. When this inspection was made March 19, 1920, the wooden floors in ward 6 in the old original building for male patients were being replaced with concrete floors.

Two new buildings completed in 1915, one for females and one for male patients, are the best of any of the State's hospitals for the insane.

The male tubercular ward is a small building in which there were twenty-eight patients. It was crowded and is not ample for the number of male tuberculous patients usually confined in this asylum. The dining room is in a basement, which cannot be kept dry in a wet season because of the seepage of water through its walls.

What is known as the male hospital building is used as a receiving ward. The hallways have tile floors, but the rooms have wooden floors, which are generally badly worn. A bad odor was noticeable in some of the toilet rooms.

The building called the Female Infirmary was constructed about twenty-eight years ago. One of the Department's sanitary engineers, Mr. L. O. Bernhagen, who accompanied the Assistant State Health Officer on the inspection, says: "The Female Infirmary should be razed. It is a fire trap, very unsanitary, a menace to the safety and health of the inmates confined there. After every severe rain the basement, in which are located the

kitchen and dining room, becomes flooded with water and sewage, the sewage backing up through the trap." Dr. Minton adopts this language as his report in reference to this building.

The iron columns of the kitchen porches to the Administration Building were badly rusted; in fact, some of them were rusted in two and paint was badly needed.

North Texas Hospital for the Insane at Terrell.—The tubercular cottage for men is a small frame house in which only fourteen patients at a time can be cared for. There are approximately fifty men in this hospital who have tuberculosis, and all but the fourteen are scattered through the various wards. This cottage has a porch on the south side, is screened and heated with stoves.

The building known as Old Male Annex has wooden floors throughout, except that the second and third stories have cement floors in the bath and toilet rooms. In ward 5 of this building the metal ceiling in the bath and toilet rooms was badly rusted.

What is known as New Male Annex No. 2 has wooden floors throughout, excepting some of the bath and toilet rooms which have cement floors.

These buildings have no fire escapes, but fire hose and chemical fire extinguishers are amply provided throughout in order to afford the greatest possible protection by this means against fire.

There are about 250 negro patients of both sexes in this institution and they are kept in the basement of the Administration Building. This is not an underground basement, but may more properly be designated as the ground story of this building. It is dry and well lighted.

All the hospital buildings as originally constructed are generally in good condition and repair.

The mattress factory should have a larger building. An abandoned horse barn standing near this factory might easily be converted into a factory building, which would serve amply for this purpose.

The laundry building is poorly constructed because of so many needless partitions. Its walls and partitions are substantially built and at small cost it could be converted into a dormitory for employees. This should be done, as there is pressing need for such a dormitory, and a new laundry building should be erected. The laun-

dry, however, appears to be adequately equipped with all necessary machinery.

East Texas Hospital for the Insane, at Rusk.—The large hospital building of this Institution, which has been created by remodeling the old State prison building, is fireproof, and its concrete floors and splendid walls and ceilings present a cozy and comfortable interior. The building is lengthwise from north to south, with front to the east. There should be porches the full length on both the east and the west sides. These porches would immeasurably alleviate the congestion of the wards and contribute to the comfort and well-being of the patients. The patients could be taken off the wards every day in the year and given needed exercise in the open air, and with porches the whole interior of the hospital would flush more freely with fresh, pure air.

The basement under the administration part of the building was in a damp condition.

#### Sanitation and Health of Inmates.

All four of the State's asylums for the insane in operation in March, 1920, were greatly overcrowded. At each of the asylums respectively at Austin, San Antonio and Terrell, there were approximately 200 beds more than the proper capacity of these institutions would accommodate, and the asylum at Rusk was fast filling beyond its normal capacity. Under the very able and efficient management of all these hospitals, sanitary conditions were as nearly perfect possibly as they can be made, taking into consideration the overcrowded conditions and certain needed building improvements and equipment. With roofs leaking and ceilings and floors rotting and giving away, it is impossible to keep down odors and maintain absolute sanitation. This condition in the asylum at Austin especially cannot be improved until the dilapidated interiors of some of the old buildings are thoroughly repaired. All sanitary rules are very rigidly enforced, except the use of the common roller towel in some of the hospitals, which use cannot be too thoroughly condemned.

Ventilation.—There is no system of ventilation in any of our hospitals for the insane except by means of open doors and windows. Even in the construction of the latest buildings all improved methods of ventilation have been ignored. Imperfect ventilation

is further aggravated in very cold weather by inadequate heating in all the hospitals except the one at Rusk. To prevent suffering with cold when the temperature is low, the doors and windows have to be kept closed, which results in the air becoming "dead."

At the time of the inspection of the Southwestern Insane Asylum there was prevalent a mild epidemic of follicular tonsillitis, caused, no doubt, by the congested or overcrowded condition existing in the wards. It is a well known fact that overcrowding of institutions will cause inflammatory affections of the upper respiratory passages, as well as sore throat, colds and pneumonia, and produce epidemics of this character. Unless some steps are taken to remedy the above menace, it would not be surprised to see at some time a serious epidemic of these troubles in any of the asylums for the insane, which would cause the State of Texas considerable embarrassment should the real conditions become generally known.

**Crowded Conditions.**—In the male receiving ward for new patients in the Administration Building at Austin there are as many as nine beds to a room 12 by 14 feet, with only two small windows at one corner and a door opening into an inner hallway for ventilation; and in male convalescent ward there are as many as eleven beds in such a room. In these wards there were as many as four patients to a room 10 by 12 feet, with only one window and an inner door. These instances represent, perhaps, the extreme of crowded conditions in this asylum; but nearly all the wards are overcrowded.

In the asylum at San Antonio it was noted that in female ward A, there were two to three patients in small rooms no more than ample for one and twenty-two beds were in a dormitory where there should not have been more than half that number. In female ward K, there were 100 patients in a dormitory constructed for only eighty. In the male tubercular ward there were five to seven beds in some of the rooms where there should not have been more than two; in fact, there should not be more than one tubercular to a room.

In the women's hospital at the Southwestern Insane Asylum there are about twice as many beds in some of the wards as there should be. The ward on the second floor of this hospital where the most helpless old

women are kept is greatly overcrowded.

The same crowded conditions prevail in the male wards of this asylum that are found in the female wards. Fortunately, in the Mexican male ward, all the patients do outdoor work, thus making the crowded condition in that ward less serious.

Many of the wards in the North Texas Hospital for the Insane are overcrowded, and a generally crowded condition prevails throughout the negro female wards.

In the East Texas Hospital for the Insane, in ward No. 1 for negro male patients, there were thirty-eight beds in one dormitory and twenty-eight in another, when there should not have been more than twenty-five in either; and in ward B, for white females, there were forty beds in one dormitory of the same dimensions as the two last mentioned, while the percentage of overcrowding was as great, or nearly so, throughout the whole Institution.

**Plumbing.**—In the older buildings of the State Lunatic Asylum at Austin the plumbing and plumbing fixtures are of a very ancient design and worn out. Many of the toilets do not flush regularly, necessitating the carrying of water in buckets to pour into them in order to get enough water to carry away sewage. This defect was very evident in what is known as the Acute Hospital, in which are kept very helpless patients, such as cripples, paralytics and very old men. This works a great inconvenience and unnecessary waste of time of the insufficient number of attendants whose time should be employed in the giving of more direct attention to the patients. With twenty or more patients going to one commode, it may easily be imagined how aggravated such a situation may become with no more than two attendants looking after more than eighty patients, as was found to be the case on some of the wards of this asylum when this inspection was made, to say nothing of the unwholesomeness of foul odors and the danger of transmission of disease germs by flies if the contents are not immediately carried away after discharged by a patient.

In the Southwestern Insane Asylum the plumbing fixtures in the older buildings are in a dilapidated condition and some of the faucets and flush toilets were out of service. In the newer buildings most of the fixtures

are in a fair state of repair; however, there are many cases of a type not suitable for an Insane Asylum, the flush toilets, for instance, having connections that are entirely too small and floor drains having two-inch piping when such piping should be four-inch.

A surface examination at the other asylums indicated that the plumbing was in fair condition.

**Sewage Disposal.**—The Institution at Austin has connection with the city sewer and would have a perfect outlet but for the old, dilapidated plumbing and fixtures in some of the main buildings.

Mr. Bernhagen reports on the disposal plant of the Asylum at San Antonio, as follows:

"1. Main sewerage lines are of sufficient size and functioning properly.

"2. No provision was made for sterilizing the effluent from the contact filter beds at the disposal plant.

"3. Many filter nozzles were found broken."

Under the head of recommendations he says:

"1. Chlorinating machine should be installed to sterilize the effluent from the contact beds at the sewage disposal plant before it is discharged into the San Antonio River. According to law, the effluent must be disinfected before it is discharged into a stream.

"2. Broken filter nozzles on the contact beds should be replaced with new ones."

The North Texas Hospital for the Insane has its own sewer system, which discharges its effluent into King's Creek about a mile away. The disposal plant is not yet complete, its completion having been delayed by inability to have purchased material delivered. When completed this sewer system will serve every purpose for which it is intended.

The sewage system of the Asylum at Rusk is in excellent condition, about the only improvement needed being an additional sludge bed at the disposal plant.

**Garbage Disposal.**—A thorough system of garbage disposal is maintained at each Asylum. The garbage is deposited in cans, with tightly fitted covers, in nearly all instances, and is hauled away daily, the part that is fit for feed is given to hogs and the rest is burned in incinerators, maintained at each Institution except at Rusk, where such as is unfit for hog feed is hauled away and dumped. At San An-

tonio where kitchen garbage receptacles were kept in the vegetable room adjoining the State dining room and kitchen, the management was having constructed outside, apart from any building, a thoroughly screened-in apartment with concrete floors for garbage receptacles, which is a very commendable arrangement.

**Heating.**—With the exception of the Asylum at Rusk, none of the hospitals for the insane are adequately heated throughout. The three larger asylums have expanded their building programs without proportionately expanding their heating plants. The indirect heating system is used in all of these institutions.

The system of radiation in the older buildings of the State Lunatic Asylum at Austin is of a very old type and wholly inadequate. In very cold weather the patients have to be put to bed to keep them from suffering with cold. The physicians in the Southwestern Insane Asylum at San Antonio, said the same was true in their hospitals, and the heating is but little better in the North Texas Hospital for the Insane at Terrell. The heating system is the more inadequate because of the dependence for ventilation upon the direct opening of doors and windows.

An appropriation of \$50,000, available next fiscal year, was made by the Thirty-sixth Legislature for installing a new radiation system in the asylum at Austin, which, if used, will remedy the defective heating system in that Institution, with the exception of the need of an additional vacuum pump in the engine room to provide for a quicker circulation of steam through the buildings.

The radiation in the older buildings of the asylum at San Antonio is entirely inadequate. The feed pipes carrying the steam to these buildings, which comprise the group farthest away from the heating plant, have been tapped so that they also carry steam to the newer buildings nearer the boiler room. The chief engineer at this asylum advises that it is not safe to carry more than 100 pounds pressure in the old piping system. A few days before this inspection there was an explosion from a bursting pipe in one of the buildings, though no one was near enough to the explosion to receive injury. Should a very high pressure of steam be thrown into these old pipes, a vast explosion might result with considerable loss of life and

damage to property. The vacuum pumps were in a bad state of repair and would not circulate the steam quickly enough during cold weather. The boilers are located in the basement of a building which contains the reading room and library, the Chapel or Auditorium, the Laboratory and other departments of the Institution. The walls of the basement are in bad condition and considerable water seeps into the boiler room.

Much additional heating equipment is needed in the North Texas Hospital for the Insane, and the entire system now in use should be thoroughly overhauled and repaired or replaced in large part with new equipment. An engine of an old type, no longer manufactured, is in use, which requires a third more fuel, it is estimated, than the Ball engine which does the same work, and if parts become broken they cannot be replaced. It is hazardous to depend on this old out of date engine in case of a breakdown of the other.

The boiler capacity and radiation system at the East Texas Hospital for the Insane are adequate to heat the entire Institution in the coldest weather.

The boiler capacity at each asylum appears to be ample, though as a precaution against any of the boilers at the Rusk Asylum being put out of commission for repairs it would be well to have an additional boiler for this institution, and there should also be two more vacuum pumps.

Fuel oil is used exclusively, except at Rusk. It was noted that at the Southwestern Insane Asylum, serious difficulty was encountered several times during the last winter because of the poor quality of the oil delivered.

Lighting.—A new system of lighting is being installed in the Asylum at Austin, which, when finished, will meet the requirements of the institution.

The lighting in some of the old building groups, at San Antonio, is very inadequate. Some of the rooms and wards have no light at all, and the night attendants have to carry lanterns when ministering to the needs of the patients. Much of the wiring is exposed in such a way as to be a fire menace, if used.

The lighting system at Terrell is in fairly good condition.

The amount of lighting in the East

Texas Hospital for the Insane is adequate for every purpose, but the way in which it is installed is about the crudest piece of work imaginable. The wiring on each floor is continuous, with no cut-offs, so that when necessary to light a given room or hallway every portion of that floor is lighted, which is not only wasteful but is annoying as well.

Screening.—None of the buildings at Austin, except the large central dining hall and kitchen, are screened. At San Antonio and Terrell, only a part of the buildings are screened. The buildings at the Rusk Asylum are screened throughout.

All buildings should be screened to afford protection against the deadly fly and mosquito. However, it is a difficult task to preserve screening from destruction by patients at asylums for the insane.

Bathing Facilities.—All patients, except those who are helpless, have easy access to baths of both hot and cold water, and are bathed one or more times a week or as often as necessary, some patients requiring many baths a week or even in a day. Those who are helpless are given sponge baths. In the main the bathing facilities in all the asylums are good, and in some of the hospitals constructed in recent years these facilities are very excellent. At the State Lunatic Asylum, at Austin, an addition on the north side of the west wing for female patients was constructed some years ago, in which baths have been equipped with tile floor and enamel walls, containing fine large enamel tubs, a shower system, and arrangement for the employment of therapeutic agencies. It would be fine if such facilities were provided throughout.

Provision for the shower bath is quite limited in all the asylums, the common bath tub being mainly provided in all the wards. In some of the wards, where no shower baths are provided, there are not enough tubs. In the reception ward for new male patients in the institution at Austin, there were only two ordinary tubs to seventy-five patients, and in the ward for the most violent male patients there were two tubs to eighty-four patients. At the East Texas Hospital for the Insane, in Ward No. 1, for negro male patients, there were three tubs to 127 patients. Other like cases of inadequate equipment could be mentioned.

**Water.**—The asylum at Austin gets its water supply from the city, which is obtained by filtration from the Colorado River. This water is wholesome, but is treated with chlorine. Approximately 300,000 gallons are used each day.

The water supply of the Southwestern Insane Asylum comes from the San Antonio River, and is supplied on contract with a private corporation, the institution not owning the water system. The water is not treated, and is evidently pure and wholesome. Over 400,000 gallons are used daily.

The North Texas Hospital for the Insane has its own waterworks, and is supplied with water from two deep wells on the hospital grounds. The supply is pure and wholesome, and is not treated. An estimated average of 250,000 gallons a day is used, which is about the limit these wells can supply, but more could be used advantageously.

The asylum at Rusk receives its water from a pond on lands of the State, situated about a half mile from the hospital. It is surrounded by high hills, and receives the drainage of a large community, where cattle and hogs run at large and the people living along its water shed use the open toilet. The pond is also used at times as a swimming pool. There is danger in this kind of water supply, and it should be condemned.

Recently an open well has been dug within the enclosure made by the old prison walls, which enclosure will constitute the campus and play grounds of the institution when cleared of some old toppling buildings and other debris. The water from this well should not be used, as open wells are easily polluted from dust and surface seepage. Another danger of an open well on the play ground or where inmates can reach it is, that they are likely to pollute the water by throwing filth into the well or with their bodily excretions when not under the immediate eye of an attendant. Such a well should be outside this enclosure where the inmates cannot reach it.

**Foods.**—A plentiful supply of good, wholesome, nourishing, well-cooked foods, with variety to suit the requirements of the different kinds of patients, is provided at each institution.

**Kitchens and Dining Rooms.**—The kitchens and dining rooms at all

the asylums were in a clean, wholesome condition. Some minor repairs were needed about the main kitchen and dining room at Austin, such as repairing the tile floors, the ceiling and the screening. All dishes, cupboards, refrigerators, and so forth, were found thoroughly clean and sanitary at all the institutions. At the North Texas Hospital for the Insane, in the dining room of the Old Male Annex, the hot water system was not sufficient to insure at all times the thorough sterilization of dishes and other culinary equipment. At the East Texas Hospital for the Insane, it was noted that clothes of employes were hanging about in the kitchen, which should be avoided by having lockers in which employes can hang clothing. At the time of this inspection, this institution was able to procure only two cooks, and about ten of the patients assisted in preparing the meals and keeping the dining room in order.

**Health and Treatment of Inmates.**—In all the asylums, the general health of the patients at the time this inspection was made, excepting the mild prevalence of tonsillitis in the Southwestern Insane Asylum, before noted, was as good as could be expected. There is evidence on every hand of all due diligence and care on the part of the superintendents and physicians in charge in their treatment and oversight of these poor unfortunate men and women. All nurses and attendants seem to have an abiding interest in their work and a proper regard for the responsibilities of their positions. The patients are kindly treated, their ample supply of clothing is kept clean and their persons are kept as tidy as can be expected or exacted in institutions of this kind. The bedding and all rooms, wards and dormitories are kept in a clean, sanitary condition. All mattresses and pillows are frequently sterilized at a special sterilization plant and kept exposed to the fresh air and sunlight as much as possible, and the bed covering is either sterilized the same way or, with the bed linen, is laundered as frequently as the most exacting rules of sanitation and cleanliness require.

#### Management.

The superintendents of the four asylums now in operation are, respectively, Dr. John Preston, State

Lunatic Asylum, Austin; Dr. J. G. Springer, Southwestern Insane Asylum, San Antonio; Dr. George F. Powell, North Texas Hospital for the Insane, Terrell, and Dr. W. J. Johnson, East Texas Hospital for the Insane, Rusk.

The management of these institutions is highly creditable to the State of Texas. With the removal of some handicaps, such as indicated above, and with certain additions and betterments to buildings and equipment, this management may be expected to reflect still greater credit upon the State both from the scientific treatment of the inmates and their added physical comfort.

There was not a full staff of doctors, as provided by the legislative appropriation, at any of these institutions when this visitation was made in March, 1920, except at the North Texas Hospital for the Insane, due to the difficulty in procuring and maintaining the requisite medical help at the remuneration offered. At one time there were only two doctors on the staff at the Southwestern Insane Asylum to care for approximately two thousand patients. It is not unusual for some of the doctors to have to work twelve to fifteen hours a day, and then be subject to call at any other hour of the twenty-four.

Added to this distressing situation, was a shortage of nurses and attendants, especially male attendants. On the white male reception ward for new patients at the Austin Asylum, there were only two attendants at a time to seventy-five patients, and, on white male ward for most violent patients, there were two attendants to eighty-four patients, some of the latter being of a dangerous character and having criminal antecedents. In the East Texas Hospital for the Insane on Ward No. 1 for negro male patients there were three attendants to 127 patients; on Ward No. 2 for white males there were two attendants to 107 patients; on Ward A for negro females there were two attendants to 110 patients; and on Ward B for white females there were two attendants to 110 patients. These are extreme instances, but there was an insufficient number of nurses and attendants throughout all the asylums.

The compensation provided for this class of help is insufficient to meet competitive wages offered in other industrial lines demanding the

services of such young men and women as are needed at these institutions.

**Occupational Therapy.**—Some special point or points of excellency in the management of each of our institutions for the insane could be mentioned, were it necessary to the purpose of this report; but it is deemed well to stress the importance attached to Occupational Therapy by the management of the Southwestern Insane Asylum. This institution has established an art department in which many patients find relief from their affliction in the attainment of remarkable proficiency in many kinds of handiwork, such as sewing, embroidering, basket making, weaving, knitting, bead work, and so forth, and even drawing and painting. The Superintendent is to be commended for undertaking the enlargement of this department so that many more patients may be benefited by such light and profitable occupation. If a few hundred dollars were put at his disposal with which to buy more looms, knitting machines, and other apparatus, he says the department could easily be made self-sustaining.

#### Needs of Our Institutions for the Insane from the Standpoint of Sanitation.

**Tuberculous Insane.**—The institution at Austin has the best hospital facilities of any of our insane asylums for the care and treatment of patients afflicted with tuberculosis. It has specially designed tubercular hospitals, standing apart from the other buildings, with sufficient capacity for the segregation of all tuberculous patients now at this asylum. This provision for tuberculous patients has been made under the administration of Dr. John Preston, and great praise is due him for his foresight in planning for this pressing need and the persistency with which he has kept the same before the Legislature.

There is hospital capacity at the Southwestern Insane Asylum for the segregation of only a part of the tuberculous patients; at the North Texas Hospital for the Insane only a small part can be segregated, and at the East Texas Hospital for the Insane there is no provision whatever for such segregation. Tuberculous patients at all these institutions have to be kept on wards with other patients.

There are approximately 250 in-

mates of our insane asylums who have tuberculosis.

Immediate provision should be made for cottage hospitals at San Antonio and at Terrell for the care of at least fifty men and fifty women tuberculous patients at each institution. Tubercular cottages, with half that capacity, would suffice as a beginning for the institution at Rusk; and at Austin there should be an additional tubercular cottage for negroes. Such a building program should contemplate the care and treatment of negroes as well as white patients at all of the asylums except at San Antonio, where there are no negro inmates.

These additional buildings are imperatively needed, as it is deplorable that tuberculous patients are not entirely segregated from other patients and kept in separate buildings.

It might be proper to suggest in this connection that, with a view, both to economy and the most thorough specialization in the treatment of the tuberculous insane, it would perhaps be well to consider the advisability of mobilizing all of the State's tuberculous insane at that one of the asylums whose location with respect to altitude and other climatic conditions may be thought to be the most favorable to the care and treatment of tuberculosis, and that the building program suggested be carried out at that one institution.

The advisability, too, of establishing, at some time in the future, a separate asylum for the tuberculous insane in some one of the most favored regions of the State for the care and treatment of sufferers of tuberculosis, might be looked forward to with profit.

#### State Lunatic Asylum, at Austin:

This institution needs:

1. Buildings.—(a) A psychopathic hospital and laboratory.
- (b) A tuberculosis cottage for negroes.
- (c) A nurses' home.
- (d) An addition to the old ladies' home.
- (e) An elevator to the female infirmary.
- (f) A new cold storage plant.
- (g) In the old administration building and what is known as the north building, the replacing of dilapidated floors, ceiling, and window casing and sash throughout, with:

(a') Concrete flooring.

(b') New ceiling.

(c') New window casing and sash, with window grating fastened on hinges and secured with locks instead of fastening into the casing with screws as at present. (See "General Statement," following.)

(h) A thorough interior overhauling of negro wards, and making them fireproof.

(i) Painting of all roofing.

(j) Construction of new bath and toilet room in convalescent female ward No. 2, in west wing, in place of one which is unsafe.

(k) Construction of new bath and toilet rooms as an addition to the old north building in place of portion of structure which is now unsafe.

(l) Building of fire escape to tubercular hospital for white men.

(m) Larger clothing room for west wing convalescent female ward.

(n) Minor repairs about dining room and kitchen, and installation of heating system in dining room.

(o) Porches. (See "General Statement," following.)

2. Heating.—Installation of a new and improved radiation system, for which appropriation has been made by the Thirty-sixth Legislature.

3. Plumbing.—A thorough overhauling of plumbing system.

4. Screening.—Screening for all hospital wards.

5. Bathing Facilities.—Enlarged bathing facilities in some of the wards.

#### Southwestern Insane Asylum, at San Antonio.

This institution needs:

1. Buildings.—(a) Additional cottage hospitals for tuberculous patients.

(b) A new female infirmary in place of the old building, which should be razed.

(c) An additional hospital for women.

(d) An additional hospital for men.

(e) A new building to be used exclusively to house the boilers, engines and pumps, which should be erected at some distance from any building occupied by patients.

The need of such a building can be better appreciated when it is understood that the boilers, engines and pumps are now located in the

basement of a building whose walls are in a bad condition and permit a considerable seepage of water to enter the boiler room; that in this building are the auditorium, the library, the laboratory and other departments of the Institution; and that many employes and inmates are thus constantly exposed to the danger of fire, explosions and the bursting of pipes under high steam pressure.

(f) Porches. (See "General Statement" following.)

(g) Repairing of wooden floors in male hospital.

(h) Replacing of wooden floors in older buildings with concrete flooring.

(2) Heating.—(a) Installation of a new and improved radiation system in the older buildings.

(b) Two additional vacuum pumps for the circulating systems.

(c) Replacing of old unsafe steam lines with new and stronger pipe.

(3) Plumbing. — Improvement of fixtures in older buildings.

(4) Screening.—Additional screening for hospital wards.

(5) Bathing Facilities.—Improvement of lavatories and bathing facilities in older buildings.

(6) Lighting.—Installation of new lighting system in older buildings, with wiring run in conduits.

(7) Sanitation.—(a) An improved incinerator.

(b) Installation of chlorinating machine to sterilize effluent from contact beds at the sewage disposal plant before it is discharged into the San Antonio River.

(c) Replacement of broken filter nozzles on contact beds with new ones.

North Texas Hospital for the Insane, at Terrell.

This Institution needs:

(1) Buildings.—(a) Cottage hospitals for tuberculous patients.

(b) A nurses' home.

(c) Converting of present laundry building into home for other employes.

(d) A new laundry building.

(e) A larger and better building for the mattress factory.

(f) Fire escapes.

(g) Porches. (See "General Statement" following.)

(h) Better hot water facilities in dining room of Old Male Annex.

(2) Heating.—(a) Overhauling and expansion of radiation system.

(b) One new engine.

(3) Screening. — Additional screening for hospital wards.

(4) Bathing Facilities.—Better bathing facilities and better fixtures and equipment in a number of the wards.

(5) Sanitation.—(a) Tile draining of an open ditch which runs through the grounds.

(b) Completion of sewage disposal plant and its perfect repair and upkeep.

(6) Water System.—(a) Increased water supply, which may be obtained by drilling an additional well.

(b) Repair of water-main pipes.

East Texas Hospital for the Insane, at Rusk.

This Institution needs:

(1) Buildings.—(a) Cottage hospitals for the tuberculous patients.

(b) A female infirmary in order that sick patients may be taken off of wards.

(c) A hospital for men in order that sick patients may be taken off of wards.

(d) Hospitals for very old and feeble patients, one for men and one for women, in order that this class of patients may be segregated from patients who are violent, and may more easily receive the special attention they require.

(e) A cottage for nurses.

(f) Living quarters for other employes.

(g) Lockers in dining room and kitchen for wearing apparel of employes.

(h) Porches.—(See "General Statement" following.)

(2) Heating.—(a) An additional boiler as a precaution against one of the other boilers going out of commission for repairs.

(b) Two additional vacuum pumps for the circulation system.

(3) Bathing Facilities.—Expansion of bathing facilities.

(4) Sanitation.—(a) Construction of an incinerator for the disposal of garbage, etc.

(b) Improvement of gutter or drain ditch around buildings, either by covering or cementing at bottom, with a proper gradient, so as to prevent the standing of water and its becoming a mosquito incubator.

(c) An additional sludge bed at the sewage disposal plant.

(d) Removal of old toppling buildings and debris from the hospital grounds as speedily as possible.

Lighting. — Improvement and rearrangement of wiring system.

Water System.—Provision for an entirely different source of water supply.

#### General Statement.

Porches.—Perhaps no moderate expenditure for improvements at any State institution could be turned to so good an account as the construction of porches at such hospital buildings for the insane as are now without this necessary convenience and comfort. It is to a degree lamentable that provision for porches did not enter into the early architecture of our hospitals for the insane. Many of the old buildings at these institutions appear to have been designedly fashioned more like prisons than after the fashion of an institution that pulses with the humanity, and heart, and soul of a modern hospital.

The addition of porches to such buildings at each of the institutions for the insane would, in a measure, (1) relieve the congested condition of the hospitals by affording practically outdoor recreation for patients, except during sleeping hours; (2) it would afford relief from drearily sweltering in the heat in confined rooms and wards during the long summer days; (3) in inclement weather it would enable patients to be taken off the wards and given outdoor exercise, when at such times the hospitals could be thoroughly ventilated and flushed with fresh, pure air; (4) it would afford sleeping quarters in the open air for such patients as require such relief, as evidenced at some of the hospitals having porches, where there are aged patients and patients predisposed to or have tuberculosis; (5) it would promote convenience, comfort and sanitation in the conduct of the hospitals; and (6) it would add to the architectural beauty and cheerful appearance of these institutions.

Screening of Radiators, etc.—All radiators and steam pipes passing through the building, in reach of patients are extremely distressing. In a protection against burns. At Terrell and in the older buildings of the other asylums the steam pipe system of radiation predominates and the instances of severe burns inflicted on patients are extremely distressing. In a frenzied state, patients will sometimes grasp the hot pipes with one or both hands until forced to release their hold, receiving burns which require weeks and even months to heal. In-

stances of accidental burning are quite frequent.

Window Gratings. — The window gratings in practically all of the asylum buildings, except at San Antonio, fit into the window casings and are fastened with large screws. The gratings have to be taken out when the windows are washed; the holes into which the screws fit soon become enlarged and deface and weaken the window casing, and besides there is a great deal of inconvenience and cost of time in thus having to remove the gratings.

At San Antonio most of the gratings are swung on hinges and made secure with locks. It would be well if this feature of the buildings at the other institutions were remodeled and all gratings swung on hinges.

The above statement of the needs of our institutions for the insane, from the standpoint of proper sanitation, is based upon a minimum estimate, after taking into consideration the mobilization of that part of our insane population at the asylum at Wichita Falls, sufficient to fill it to its capacity when opened. The annual death rate in these institutions is low, the inmates live to an advanced age, and the number who may ever recover does not exceed 20 or 25 per cent, if the percentage of recovery be even that great. With the rapid future growth of our population and the influx of immigration from other States and foreign countries bringing many persons with unsound family antecedents and with unrestrained marriage and intermarriage of persons predisposed to hereditary insanity, we may expect our insane population to increase in the years to come.

Respectfully submitted,  
State Health Officer.

Governor's Office,  
Austin, Texas, Jan. 12, 1921.

To the Thirty-seventh Legislature in Regular Session.

Gentlemen: I am transmitting herewith for the information of your membership the report of a committee commissioned by me at the request of the Texas Chamber of Commerce for the purpose of investigating conditions with respect to the Pink Bollworm in the cotton growing area in Mexico along the Texas border.

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Torreon, Mexico, Dec. 2, 1920.  
To Hon. W. P. Hobby, Governor, Austin, Texas.

Dear Sir: The undersigned, constituting a commission appointed by the Texas Chamber of Commerce and commissioned by you to visit the Laguna district in Mexico and investigate conditions resulting from the presence of the pink boll worm of cotton, beg leave to submit the following report:

The commission assembled at San Antonio on the morning of Friday, November 26, and proceeded thence to Torreon in the State of Coahuila, Mexico, our journey having been facilitated by the kindly offices of Senor Garcia, Mexican consul at Dallas, and the Consul General of Mexico at Laredo, who in our behalf waived the customary regulations governing the entry of foreigners into Mexico.

When the commission arrived in Torreon, which is the business center of the Laguna district, we were cordially received by representatives of the Agricultural Department of the Federal government of Mexico and of the Camera Agricola de Nacional del Laguna, an organization comprising the principal land owners and cotton growers of the Laguna district, who placed at our disposal every necessary facility for a thorough inspection of cotton growing conditions in the district and supplied us with much valuable data.

Due acknowledgment of the many courtesies extended to us by public officials and private citizens is made in a separate resolution of the commission attached hereto.

The Laguna district is an irregular shaped valley of about 2000 square miles, almost completely surrounded by mountains. It is situated about 250 miles south of the Rio Grande river, on the boundary line of the States of Durango and Coahuila, Mexico. It derives its name from the fact that it was formerly a lake (Laguna) serving as an outlet of the Rio Nazas. As recently as 1839 a part of the Tlahualilo property visited by the commission was under water and at present there are considerable areas near San Pedro, Coahuila, which are filled with water when the river is at a flood stage. The soil is a deep alluvial deposit, very rich and well adapted to the culture of cotton.

Torreon, the principal city of the Laguna, has an elevation of about 4000 feet. Generally speaking this section of the country receives an average of

six to eight inches rainfall annually.

In the months of May, June, July and August, temperatures range from 95 to 100 degrees F. during the day down to about 64 degrees (average) at night. In the winter months of December, January and February, the thermometer registers from 69 (average maximum) to as low as 24 degrees F.

We attach as a part of our report a tabulated statement of temperature averages at Tlahualilo for the years 1904 to 1920 marked "Exhibit A."

From monthly records kept by the Tlahualilo Company at Tlahualilo, Durango, covering a period of fifteen years extending from 1904 to 1919, inclusive, the average rainfall for that region has been 8.07 inches per year.

#### Annual Precipitation in Inches at Tlahualilo.

Year.	Precipitation.
1904 .....	6.09
1905 .....	11.31
1906 .....	12.09
1907 .....	8.17
1908 .....	6.43
1909 .....	13.32
1910 .....	3.91
1911 .....	6.98
1912 .....	8.56
1913 .....	12.79
1914 .....	11.42
1915 .....	4.63
1916 .....	4.30
1917 .....	3.46
1918 .....	7.14
1919 .....	11.19

We attach hereto a tabulated report of rainfall by months for the years 1915-1920 at Zaragosa ranch of the Tlahualilo estate, and mark it "Exhibit B."

#### Cultural Methods and Production.

This section is semi-arid and depends upon the water from the Rio Nazas and Rio Agua Naval for irrigation. The water usually comes down sometime between August and December and is applied at a rate which is equivalent to three to four feet deep to the fields that are to be planted in the following year. With an occasional rain in June and July or a small amount of water from the river during these months, fall irrigation suffices for the crop. As there is not enough water for all the land only a small portion is cultivated, and on some plantations a portion of the land

regularly lies fallow for several years at a time. Under this system of cultivation the land has to be well prepared and thoroughly cultivated in order to conserve the moisture. The cotton planting begins about February 15 and may continue to June if there are June rains or water in the river. The land is planted as soon as possible after it dries out as it is necessary to do this in order to secure germination.

Cotton is the principal crop grown in this section and while there are small areas devoted to corn, wheat, beans and alfalfa, most of the planters use their land year after year for cotton and buy the feed needed for their domestic animals from elsewhere. There is no very reliable data available on the acreage and production in the Laguna, but the annual production varies from 60,000 to 150,000 bales with an average crop of 75,000 to 80,000 bales. The yield varies from one-fourth to two bales per acre, with an average of one-half bale to three-fourths of a bale. All of the cotton is of the short stapled varieties.

#### Killing Frost Dates.

The date of the first killing frost varies from October 29 to December 25. The dates for the years 1904 to 1919 at Tlahualilo are as follows:

1904 Nov. 13	1912 Dec. 24
1905 Dec. 25	1913 Dec. 6
1906 Nov. 21	1914 Jan. 11
1907 Nov. 14	1915 Nov. 19

1908 Oct. 29	1916 Nov. 2
1909 Oct. 9	1917 Nov. 4
1910 Dec. 24	1918 Oct. 31
1911 Nov. 29	1919 Dec. 25

#### Extent of Investigation.

The commission spent five days at Torreon and visited ten fields in different regions of the Laguna. Some of the fields visited were parts of the largest and best managed haciendas in the district. Special effort was made to confine our inspections to fields that are typical of the district and in this we were greatly aided by Dr. Gabriel Itie, representative of the Agricultural Department of the Federal Government of Mexico, and Senor Juan Castillon, President of the Camera Agricola, to both of whom the commission is under obligations for many courtesies.

Upon arrival in a field of cotton the members of the commission would scatter widely and at a given signal each member would cut the stalk of cotton nearest to him. From these stalks all burrs and bolls (excepting the very young and immature bolls) were picked off and placed in one pile. The burrs and bolls were then divided into two piles, one containing those which showed damage of 50 per cent or less, and the other pile containing those showing damage by pink boll worm of more than 50 per cent. Each pile was carefully counted and the results were as follows:

	No. of Burrs and Bolls show- ing 50% or less damage by Pink Boll Worm.	No. of Burrs and Bolls show- ing more than 50% damage by Pink Boll Worm.	Percentage of Burrs and Bolls showing more than 50% damage
Field No. 1 .....	200	128	39.0%
Field No. 2 .....	60	310	83.7%
Field No. 3 .....	34	62	64.5%
Field No. 4 .....	151	259	63.1%
Field No. 5 .....	42	70	59.8%
Average .....			62.0%

In addition to fields in which counts were made, we visited many fields where members of the commission made individual examinations, which without exception showed infestation as great as revealed by the actual count tabulated above.

We interviewed many land owners and cotton growers whose oral estimates confirmed our own findings. The yield of cotton in the Laguna this year was diminished in some fields by

insufficient irrigation water and by damage of pests other than the pink bollworm, but in the main the land owners agree that the losses this year due to the pink bollworm alone will approximate 50 per cent of the crop. The harvest this year was slightly more than thirty days late and many growers believe that this increased the loss due to pink bollworm over what it would have been if the harvest period had been earlier, although none of

them manifested any disposition to minimize the seriousness of the situation or to conceal their apprehension of even greater losses in the future.

On the Tlahualilo hacienda a complete and accurate system of records has been kept for many years. This estate is owned by British and American capitalists and is operated in an efficient manner by English and American supervision. The hacienda comprises fifteen ranches with a total of more than 100,000 acres and is equipped with modern tools and implements and is operated according to the best agricultural practice. Twenty thousand acres were planted in cotton this year and careful records kept of the yield and damage by insects on each 125-acre field. These data are the most complete and accurate the commission was able to obtain and confirm in every respect our own investigation on other haciendas.

The average yield of cotton on the Tlahualilo hacienda for fifteen years has been slightly more than one-half bale per acre, the maximum in some years exceeding one bale per acre. The average has been considerably reduced by unsettled conditions due to revolutionary activities in this district in recent years. The yield this year will be 50 per cent of an average, or one-fourth bale per acre. Expressed in volume, this amounts to a loss of 5000 bales due entirely to pink bollworm. In the four years since this pest was discovered on this estate, the losses caused by it amount to 12,000 bales, representing a money loss in excess of a million and a half dollars in American gold. Some damage was done this year by the bronze and cotton lice, but separate account was made of these losses and they are not included in the loss figures quoted above.

Careful observations and counts made in the field by trained scientific employes of the owners show that between 38 per cent and 40 per cent of pink bollworm. The boll weevil has never inflicted any serious damage to the crop on this estate and the owners do not fear this pest, although owners of other haciendas farther south report considerable damage by the boll weevil.

#### Damage to Lint Cotton.

In addition to the destruction of cotton in the field, the pink bollworm discolors and otherwise lowers the grade and injures the staple of the cotton which escapes destruction. In

many cases the damage to bolls is not sufficient to prevent opening and the partially damaged locks are picked by laborers and go to the gin with damaged cotton. A careful examination by expert cotton men on the commission of lint cotton at the gins and in bales revealed a loss in grade and staple equal to one full grade according to American cotton standards. This estimate was confirmed by an examination of samples of cotton grown on the Tlahualilo estate prior to the appearance of the pink bollworm.

#### Damage to Cotton Seed.

Samples of seed were taken at several gins and found to be infested with the pink bollworm, although no count was made to determine the per cent of infestation of seed. Ginners report a decreased weight of seed from a given amount of infested seed cotton, as many infested seed are cut up by the gin saws and others are thrown out in the trash from the cleaners.

#### Control Measures in Mexico.

The intensity of the infestation in the Laguna district has steadily increased since its first appearance. Because of the absence from the country of many land owners during recent revolutionary disorders and the lack of stable government, very little effort has been made by the Mexican government or cotton growers to control this pest. Recently an order has been issued by the government requiring all cotton stalks of this year's crop to be cut and burned by December 15. This work is now under way, but many growers expressed the belief that it is a physical impossibility to comply with this order within the time limit.

The commission inspected several fields where stalks were being cut and burned, and while this clean-up will undoubtedly destroy many worms, enough green bolls and infested locks of seed cotton are left on the ground to infest the fields heavily next year.

The problem of control is made more difficult in the Laguna district by soca or volunteer cotton which harbors the worm and gives it a breeding place early in the season. The influence of contiguous fields of volunteer cotton upon the intensity of infestation in fields of planted cotton is graphically shown in a map of the fields of the Tlahualilo estate attached hereto and marked "Exhibit C." This map shows that the degree of infestation is high-

est in fields adjoining areas of volunteer cotton and lowest in fields most remote from this source of infestation. Several growers report that infestation is lighter in fields in which no cotton has been grown for one or more years than in fields which have been planted in cotton continuously.

It is impossible within the limits of this report to set forth fully all the pertinent facts concerning the depredation of the pink bollworm in the Laguna district which came under our observation, and we must content ourselves with presenting only the most important facts which have a direct bearing upon present and future conditions in Texas.

Summarizing the results of four days of field investigations and interviews with a large number of cotton growers in the Laguna district, we submit for the serious consideration of your Excellency and the people of Texas, the following facts and conclusions:

1. The pink boll worm constitutes a serious menace to cotton production in the Laguna district of Mexico.

2. In our opinion, cotton cannot long continue to be grown there with profit unless some means of eradication or control not now known are discovered and applied.

3. A careful study of conditions reveals nothing which justifies us in believing that the pest will be eradicated from the Laguna district in the near future.

4. We believe that climatic and physical conditions in the Laguna district of Mexico are sufficiently similar to those of many large cotton producing areas of Texas and other cotton growing states to justify the belief that the pink boll worm will do as great damage in these areas as it has done in Mexico if these areas ever become infested.

5. The ownership of land in large tracts under one management and the annual flooding of land for a month or more for irrigation are aids to control of the pest in Mexico, which do not exist in the United States, and we fear that, if the pest should become established in the United States, its spread might be more rapid and its control more difficult, unless, in the meantime, more effective methods of control are found than are known at present.

Your Commission does not feel that it is authorized or competent to

deal with the technical and scientific questions involved in eradicating or controlling this pest, but a sense of responsibility to the people of Texas, and particularly to those directly interested in the cotton industry, compels us to submit to you and through you to the people of Texas the following recommendations:

First—That the Governor of Texas take steps to have the proper agencies of the Federal government negotiate with the Federal government of Mexico for more thorough co-operation in the study of this dangerous enemy of the cotton industry and the working out of quarantine and other measures that will eradicate or control it.

Second—That the Governor of Texas endeavor to have the United States Government obtain permission from the Mexican government to establish a scientific station in the Laguna district to study the pink bollworm and carry on research work to the end of finding a way to save the cotton industry from its ravages, and that if the Federal government should fail or refuse to undertake this work promptly, that the State of Texas establish such research laboratory there.

Third—That you communicate the substance of this report to the Senators and Representatives from Texas in the United States Congress and call on them to obtain such a liberalizing of laws and regulations governing immigration from Mexico as will discourage smuggling Mexican laborers across the border. We make this recommendation because we find that it is a universal practice of Mexican agricultural laborers to pick waste seed cotton and without removing the seed make use of it in pillows, coverlets and mattresses which will harbor the pink bollworm for a long period of time. If immigration restrictions are liberal, Mexican laborers coming into the United States will pass through ports of entry which will permit careful inspections and, if necessary, fumigation of such carriers of the pink bollworm. If immigration restrictions are severe and expensive, smuggling will be encouraged and it will be almost, if not entirely, impossible to keep the pink bollworm from entering the United States in this manner.

Fourth—We urge upon the Governor of Texas to endeavor to have the

proper United States authorities negotiate with the proper Mexican authorities to establish co-operative quarantine stations in Mexican territory at some distance from border cotton areas, so as to prevent the introduction of the pest into Mexican areas contiguous to American border cotton areas.

Fifth—We recommend that the United States Department of Agriculture, the State Department of Agriculture and the Agricultural and Mechanical College of Texas join in formulating practical and effective clean-up measures for Texas farms to the end of reducing to a minimum the danger of the introduction and spread of this and other crop pests, and that when such measures have been formulated that you cause them to be brought to the attention of Texas farmers with an urgent appeal for their universal adoption.

Sixth—We recommend that the public agencies named above be urged to co-operate immediately in devising an effective method of fumigating cotton seed for planting and that all cotton growers be urged to fumigate all planting seed as a wise precaution against this dangerous pest.

Seventh—We indorse and approve the principle of local quarantine as offering the best hope of eradicating the pink bollworm where it now exists or may in the future be found to exist in Texas. We believe such quarantines are justified only by the general interest of all people in the protection and preservation of the cotton industry and that the expense and losses resulting from such protective measures should be borne by the public, in whose behalf they are instituted, and should be apportioned fairly between the State and Federal governments.

In conclusion, we thank you and the Texas Chamber of Commerce for organizing this Commission and making possible this investigation. It is the deliberate and unanimous judgment of the Commission based upon the most thorough investigations that the pink bollworm threatens the cotton industry of the entire United States, and we appeal to

all the people to leave nothing undone that will avert the menace.

Respectfully submitted,

WALTON PETEET, Chairman;  
Representative Texas Chamber of Commerce.

L. L. LONG  
Representative Farmers' Protective Association.

J. M. CAMPBELL,  
Representative Texas Farm Bureau Federation.

W. H. NICHOLS,  
Representative Farmers' Protective Association.

LOUIS B. MCCAIN,  
Representative United Cotton Growers' Association.

ROWLAND HARWELL,  
Representative El Paso Chamber of Commerce.

EDWARD M. GOLDSTEIN,  
Representative Texas Cotton Association.

E. F. SHROPSHIRE,  
Representative Texas Farmers' Union, Texas Ginners' Association and Texas Division of American Cotton Association.

Governor's Office,

Austin, Texas, Jan. 12, 1921.

To the Thirty-seventh Legislature, in Regular Session.

Gentlemen: The right and privilege of men and women to vote on equal terms is now fixed in the Constitution of the United States. Three years ago women possessed no right of suffrage whatever in this State. The acquisition of the right in its entirety and without qualification in so short a period of time is a development I shall always look back upon with gratification and I shall always consider it even with increased gratification because it occurred during that period when I served as Chief Executive of the State. Not in any effort to claim responsibility for so great and so widespread an achievement since one unit of the nation is too small to accomplish such a result and not in any effort to claim that such a result could be accomplished even in one of those units by one individual but to point out and emphasize the conspicuous part of Texas in that leadership which contributed so effectively to the success of this cause, I deem it proper to address you upon the practical operation of the system.

Texas not only vested women with the privilege and power of voting

in party primaries and conventions at a time when that Act impressed the public thought of the country favorably but ratified the equal suffrage amendment to the Federal Constitution at a time when the fate of the amendment was hanging in the balance. It gave courage to States whose course might have been backward instead of forward with respect to such a measure in such a form. The contribution of Texas to the cause of equal suffrage, to say the least, therefore, was important and potential.

To bring about conformity in Federal and State Constitutions, the constitutional qualification for voters in Texas, levying a poll tax upon male persons only as a prerequisite for voting should be altered, notwithstanding, the adoption of the amendment at the general election in November last extending the poll tax levy upon both men and women. The submission of an amendment, therefore, by the Thirty-seventh Legislature, the first Regular Session to convene since the adoption of the Nineteenth Amendment, is in order.

I take the liberty of submitting for your consideration the form of two proposed amendments which, in my judgment, are fair alike to both male and female voters and will better the conditions under which elections are held in this State.

I recommend that Section 2, Article 6 of the Constitution be amended by providing that every person, in lieu of "every male person," subject to the ordinary qualifications of voters, may be eligible to vote in Texas, and providing further, that only native born or naturalized citizens of the United States, with the customary residence provision, shall be qualified to vote, and eliminating those who have merely declared their intention to become citizens of the United States; and providing further, that either the husband of the wife may pay the poll tax of either or both and, at the same time, take separate receipts therefor. For the convenience of the voters, it is timely, also, to authorize the Legislature to provide a method for permitting qualified voters to vote even though absent from their places of residence.

I recommend that Section 3, Article 7 of the Constitution be amended by providing that the poll tax collected by the State shall be fifty cents, while towns and cities may col-

lect a poll tax of fifty cents and counties may collect a poll tax of twenty-five cents.

Since the right of suffrage has been extended to women, the voting population of the State has been doubled. Since the full amount of the poll taxes levied by the State is set aside for the public free schools, the revenue derived by the schools from the collection of the taxes will not be less in volume if cut in half at a time when the voting population is doubled. In fact, the revenue may be increased because it will encourage more persons of both sexes to pay their poll tax and the burden will fall lighter upon the citizens of the State. The same considerations prompt me to recommend that the amount which cities and towns may collect be correspondingly reduced, while the amount the counties may collect remains unchanged and limited to a very small sum.

Generally the levying of the poll tax upon both men and women will merely operate as a double tax upon the entire citizenship. The practical effect of reducing the taxes, as I have suggested, will be, in most cases to relieve the family of an additional tax. The voting strength of the home by the adoption of the Nineteenth Amendment has, in most instances, been doubled. I cannot see, however, that it is necessary to also double the amount of poll tax required under the law. Under the proposal I have made, while the voting strength of the home will be doubled because of the equal suffrage amendment, yet, the taxes paid out by those who support the home will not be increased.

It is especially desirable now to limit the right of suffrage only to those who are natural born or naturalized citizens of the United States. Such limitation will elevate the voting standard of Texas and when the right to vote is accorded to Americans only, it will mean that American ideas and American ideals are recognized with a new force and a new purpose in Texas.

Therefore, I have submitted, for your convenience, the form of each of these amendments which are hereto attached and which are companion measures. I urge their adoption by you not only because of the desirability of making our Constitution plain and in harmony with the new conditions but to reduce the poll tax charge imposed against the

citizenship of the State and lighten the burden thereof, and to give a voice to none but Americans in the affairs of our government.

Respectfully submitted,

W. P. HOBBY,

Governor.

**Senate Joint Resolution No. —.**

Proposing an amendment to Section 3 of Article 7 of the Constitution of the State of Texas, by limiting the amount of the poll tax collected by the State to fifty cents; giving the Legislature authority to authorize incorporated towns and cities to collect a poll tax not to exceed fifty cents, and by counties not to exceed twenty-five cents.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 3 of Article 7 of the Constitution be so amended as hereafter to read as follows:

Section 3. One-fourth of the revenue derived from the State occupation taxes, and a poll tax of fifty cents on every inhabitant of this State between the ages of 21 and 60 years shall be set apart annually for the benefit of the public free schools: provided that under the Constitution of this State the poll tax collected by the State shall never exceed fifty cents; the Legislature may authorize incorporated towns and cities to collect a poll tax not to exceed fifty cents and may authorize counties to collect a poll tax not to exceed twenty-five cents. And in addition thereto, there shall be levied and collected an annual ad valorem State tax of such an amount not to exceed thirty-five cents on the One Hundred (\$100.00) Dollars valuation, as with the available school fund arising from all other sources, will be sufficient to maintain and support the public schools of this State for a period of not less than six months in each year, and it should be the duty of the State Board of Education to set aside a sufficient amount out of the said tax to provide free text books for the use of the children attending the public free schools of this State; provided, however, that should the limit of taxation herein named be insufficient the deficit may be met by appropriation from the general funds of the State, and the Legislature may also provide for the formation of school

districts by general or special law without the local notice required in other cases of special legislation; and all such school districts, whether created by general or special law, may embrace parts of two or more counties. And the Legislature shall be authorized to pass laws for the assessment and collection of taxes in all said districts and for the management and control of the public school or schools of such districts, whether such districts are composed of territory wholly within a county or in parts of two or more counties. And the Legislature may authorize an additional ad valorem tax to be levied and collected within all school districts heretofore formed or hereafter formed, for the further maintenance of public free schools, and the erection and equipment of school buildings therein; provided, that a majority of the qualified property taxpaying voters of the districts voting at an election to be held for that purpose, shall vote such tax not to exceed in any one year One Dollar on the One Hundred Dollars valuation of the property subject to taxation in such district, but the limitation upon the amount of school district tax herein authorized shall not apply to incorporated cities or towns constituting separate and independent school districts, nor to independent or common school districts created by general or special law. And this provision of the Constitution shall be self-enacting without the necessity of further legislation.

Section 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of the State at an election to be held throughout the State on the fourth Saturday in August, 1921, at which election all voters favoring said proposed amendment shall write or have printed on their ballots the words, "For the amendment to Section 3 of Article 7 of the Constitution of the State of Texas, providing that the poll tax collected by the State shall not exceed fifty cents, and permitting the Legislature to authorize incorporated towns and cities to collect a poll tax not to exceed fifty cents, and counties to collect a poll tax not to exceed twenty-five cents," and all those opposed to said amendment shall write or have printed on their ballots, "Against the amendment to Section 3 of Article 7 of the Constitution of the State of Texas, providing that poll

tax collected by the State shall not exceed fifty cents, and permitting the Legislature to authorize incorporated towns and cities to collect a poll tax not to exceed fifty cents, and counties to collect a poll tax not to exceed twenty-five cents."

Section 3. The Governor of the State is hereby directed to issue the necessary proclamation for said election and to have same published as required by the Constitution and existing laws of the State.

Section 4. That the sum of Twenty-five Thousand (\$25,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the funds in the Treasury of the State of Texas not otherwise appropriated, to pay the expenses of such publication and election.

#### Senate Joint Resolution No. —.

Proposing an amendment to Section 2, Article 6, of the Constitution of the State of Texas by providing that only native born or naturalized citizens of the United States shall be qualified electors in this State, and permitting either the husband or the wife to pay the poll tax of the other and receive the receipt therefor, and permitting the Legislature to authorize absentee voting.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 2 of Article 6 of the Constitution of the State of Texas be so amended as hereafter to read as follows:

Sec. 2. Every person subject to none of the foregoing disqualifications, who shall have attained the age of twenty-one years and who shall be a native born or naturalized citizen of the United States and who shall have resided in this State one year next preceding an election and the last six months within the district or county in which he offers to vote, shall be deemed a qualified elector; provided, that electors living in any unorganized county may vote at any election precinct in the county to which such county is attached for judicial purposes; and provided further, that any voter who is subject to pay a poll tax under the laws of the State of Texas shall have paid said tax before offering to vote at any election in this State and hold a receipt showing that said poll tax was paid before the first

day of February next preceding such election. Or if said voter shall have lost or misplaced said tax receipt, he or she, as the case may be, shall be entitled to vote upon making affidavit before any officer authorized to administer oaths that such tax receipt has been lost. Such affidavit shall be made in writing and left with the judge of the election. The husband may pay the poll tax of his wife and receive the receipt therefor. In like manner the wife may pay the poll tax of her husband and receive the receipt therefor. The Legislature may authorize absentee voting. And this provision of the Constitution shall be self-enacting without the necessity of further legislation.

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of the State at an election to be held throughout the State on the fourth Saturday in August, 1921, at which all voters favoring said proposed amendment shall write or have printed on their ballots the words, "For the amendment to Section 2 of Article 6 of the Constitution of the State of Texas providing that only native born or naturalized citizens of the United States shall be qualified electors in this State, and providing that either the husband or wife may pay the poll tax of the other and receive the receipt therefor, and permitting the Legislature to authorize absentee voting." And all those opposed to said amendment shall write or have printed on their ballots, "Against the amendment to Section 2 of Article 6 of the Constitution of the State of Texas providing that only native born or naturalized citizens of the United States shall be qualified electors in this State, and providing that either the husband or wife may pay the poll tax of the other and receive the receipt therefor, and permitting the Legislature to authorize absentee voting."

Sec. 3. The Governor of the State is hereby directed to issue the necessary proclamation for said election and have the same published as required by the Constitution and existing laws of the State.

Sec. 4. That the sum of Twenty-five Thousand (\$25,000) Dollars, or so much thereof as may be necessary is hereby appropriated out of any funds in the Treasury of the State of Texas not otherwise appropriated to pay the expenses of such publication and election.

### Standing Committees—Appointment Of.

The Chair, Lieutenant Governor W. A. Johnson, here announced the appointment of the following standing committees, stating that he had yielded most of his desires to the convictions of Lieutenant Governor-elect Davidson, and announced the committees as those of Governor Davidson:

**Agricultural Affairs**—Parr, Chairman; Clark, Vice Chairman; Suiter, Floyd, Murphy, Buchanan, Russell.

**Civil Jurisprudence**—Bailey, Chairman; Carlock, Vice Chairman; Page, Woods, Hertzberg, Dorrough, Bledsoe, Hall, Lewis, McMillin.

**Counties and County Boundaries**—Russell, Chairman; Buchanan, Vice Chairman; Cousins, Harp, Baugh, Darwin, Watts.

**Constitutional Amendments**—Woods, Chairman; Davidson, Vice Chairman; Dorrough, McNealus, Murphy, Witt, Hall, McMillin, Bledsoe.

**Contingent Expense**—Cousins, Chairman; Suiter, Vice Chairman; Clark, Baugh, Watts.

**Commerce and Manufactures**—Murphy, Chairman; Baugh, Vice Chairman; Watts, Wood, Fairchild, Davidson.

**Criminal Jurisprudence**—Hertzberg, Chairman; Suiter, Vice Chairman; Woods, Hall, Parr, Dorrough, Rogers, Fairchild, Dudley.

**Educational Affairs**—Witt, Chairman; Hertzberg, Vice Chairman; Floyd, Suiter, Lewis, Rogers, Richards, Cousins, Russell, McMillin, Darwin.

**Engrossed Bills**—Harp, Chairman; Floyd, Vice Chairman; Dorrough.

**Enrolled Bills**—Darwin, Chairman; Rogers, Vice Chairman; Cousins.

**Federal Relations**—Lewis, Chairman; Woods, Vice Chairman; Davidson, Carlock.

**Finance**—Dudley, Chairman; Clark, Vice Chairman; Carlock, McMillin, Woods, Cousins, Lewis, Fairchild, Hertzberg, Page, Rogers, Williams, Wood.

**Insurance and Banking**—Page, Chairman; McMillin, Vice Chairman; Carlock, Fairchild, Witt, Williams, Dudley, Clark, Floyd.

**Internal Improvements**—McNealus, Chairman; Bailey, Vice Chairman; Cousins, Carlock, Buchanan, Parr, Murphy, Darwin.

**Judicial Districts**—Richards,

Chairman; Witt, Vice Chairman; Davidson, Hall, Harp, Watts.

**Labor**—McNealus, Chairman; Page, Vice Chairman; Murphy, Clark, Parr, Buchanan, Russell, Bledsoe, Williams.

**Mining, Irrigation and Drainage**—Bledsoe, Chairman; Dudley, Vice Chairman; Murphy, Russell, Williams, Hall, Bailey.

**Military Affairs**—Baugh, Chairman; Rogers, Vice Chairman; McNealus, Clark, Witt, Darwin, Bledsoe.

**Nominations by the Governor**—Floyd, Chairman; Wood, Vice Chairman; Richards, Hertzberg, Carlock, Suiter, Lewis.

**Privileges and Elections**—Dorrough, Chairman; Cousins, Vice Chairman; Darwin, Buchanan, Bailey, Murphy, McNealus.

**Public Buildings and Grounds**—Floyd, Chairman; Murphy, Vice Chairman; Harp, Wood, Watts.

**Public Printing**—Rogers, Chairman; Clark, Vice Chairman, Floyd.

**Public Lands and Land Office**—Davidson, Chairman; Darwin, Vice Chairman; Witt, Bledsoe, Dudley, Russell, Fairchild.

**Public Health**—Hall, Chairman; McNealus, Vice Chairman; Clark, Floyd, Rogers, Bledsoe, McMillin.

**Public Debts, Claims and Accounts**—Fairchild, Chairman; Richards, Vice Chairman; McNealus, Buchanan, Baugh, Suiter, Cousins.

**Roads, Bridges and Ferries**—McMillin, Chairman; Davidson, Vice Chairman; Floyd, Woods, Witt, Williams, Dudley.

**Rules**—Dorrough, Chairman; Hall, Vice Chairman; Davidson, Hertzberg, Witt.

**Senatorial Districts**—Suiter, Chairman; Fairchild, Vice Chairman; Page, Richards, Darwin, Bailey, McMillin.

**State Affairs**—Carlock, Chairman; Dorrough, Vice Chairman; Wood, Hertzberg, Witt, Dudley, Bailey, Williams, Parr, McNealus.

**State Institutions and Departments**—Wood, Chairman; Lewis, Vice Chairman; Richards, Fairchild, Harp, Clark, Watts.

**State Penitentiaries**—Williams, Chairman; Bledsoe, Vice Chairman; Richards, Hertzberg, Lewis, Harp, Woods.

**Stock and Stock Raising**—Clark, Chairman; Harp, Vice Chairman; Dudley, Buchanan, Williams, Bledsoe, Murphy, Parr.

**Town and City Corporations—**Watts, Chairman; Russell, Vice Chairman; McNealus, Baugh, Carlock, Dorrough.

**Congressional Districts—**Lewis, Chairman; Fairchild, Vice Chairman; Parr, Harp, Darwin, Page, Richards, Baugh, Buchanan, Williams, Murphy, Cousins.

**Representative Districts—**Fairchild, Chairman; Richards, Vice Chairman; Woods, Russell, McNealus, Baugh, Buchanan, Davidson, Rogers.

#### **Joint Committee Appointment.**

The Chair here announced members joint committee on part of the Senate to proceed to canvass the returns of the election of a Governor and Lieutenant Governor and prepare for the inauguration.

Woods, Witt, Wood, Buchanan, Darwin.

#### **Engrossing and Enrolling Clerks Appointed.**

Senator Darwin here offered the following:

Senate Chamber,  
Austin, Texas, Jan. 13, 1921.  
To the President of the Senate.

In accordance with the recommendations of the Senate caucus, I herewith submit to the Senate the following names as employees of the Committee on Engrossed Bills: Edward Mixson, Mrs. L. Dorman. Committee on Enrolled Bills: Carl L. Boes, Mrs. Kate Allen Batson.

DARWIN,  
Chairman.

#### **Oath of Office Administered.**

The above named officers here appeared at the bar of the Senate and were administered the constitutional oath of office.

#### **Recess.**

On motion of Senator Clark the Senate here recessed until 3 o'clock today.

#### **Afternoon Session.**

The Senate was called to order by Lieutenant Governor W. A. Johnson.

#### **Simple Resolution No. 6.**

Resolved, That Senate Rule No. 92 be amended by adding at the end of Subdivision 1 of said Rule 92 the following words: "Except that children under twelve years of age shall not be admitted to the Chamber but may have with their attendants the privilege of the Senate Reception Room."

Resolved, That Senate Rule No. 71 be changed to read as follows: "Rule 71. All Conference Committees of the Senate shall be selected and appointed by the Lieutenant Governor or the President Pro Tempore, when the latter shall be presiding."

McNEALUS.

The resolution was read and referred to the Committee on Rules.

#### **Petitions.**

Senator McNealus offered telegrams from labor organizations asking for repeal of open port law, or to amend said law.

#### **Simple Resolution No. 7.**

Whereas, Berkley Bell has been acting as Page in the Senate since the convening of this, the Thirty-seventh, Legislature, and Will Fenner, General Jackson and Tom White have been acting as Porters in the Senate since the convening of the Legislature; therefore, be it

Resolved, by the Senate, that Berkley Bell is hereby appointed Page, and that Will Fenner, General Jackson and Tom White are hereby appointed Porters for the Senate, and that all the above named shall receive pay from the convening of this Legislature, and at the same rate as paid the other Pages and Porters.

Clark, Hall, McNealus, Darwin, Dudley, Wood, Parr, Murphy, Williams, Carlock, Cousins, Floyd, Lewis, Baugh, Bledsoe, Watts, Page.

The resolution was read and adopted.

#### **Message from the House.**

Hall of the House of Representatives,  
Austin, Texas, Jan. 13, 1921.  
Lieutenant Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following bills:

S. B. No. 1, A bill to be entitled "An Act making an appropriation to pay the per diem and mileage of members and per diem of officers and employes of the Regular Session of the Thirty-seventh Legislature of the State of Texas, convened on the 11th day of January, 1921; providing how accounts may be approved, and declaring an emergency."

S. B. No. 2, A bill to be entitled "An Act to make an appropriation to pay the contingent expenses of the Regular Session of the Thirty-seventh Legislature of the State of Texas, convened January 11, 1921; providing how accounts may be approved, and declaring an emergency."

S. B. No. 3, A bill to be entitled "An Act making an appropriation to pay the mileage and per diem of the presidential electors of Texas for the year 1921, and declaring an emergency."

The following committee has been appointed on the part of the House to count the vote for Governor and Lieutenant Governor and to arrange for their inauguration:

Messrs. O. B. Black, Chairman; Jones, Neblett, Thrasher, Miller of Dallas, Rountree and Smith.

Respectfully submitted,

NOEL K. BROWN,  
Chief Clerk, House of Representatives.

#### Bills Signed.

The Chair, Lieutenant Governor Johnson, gave notice of signing, and did sign in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 1, A bill to be entitled "An Act making an appropriation to pay the per diem and mileage of members and per diem of officers and employes of the Regular Session of the Thirty-seventh Legislature of the State of Texas, convened on the 11th day of January, 1921; providing how accounts may be approved, and declaring an emergency."

S. B. No. 2, A bill to be entitled "An Act making an appropriation to pay the contingent expenses of the Regular Session of the Thirty-seventh Legislature of the State of Texas, convened January 11, 1921; providing

how accounts may be approved, and declaring an emergency."

S. B. No. 3, A bill to be entitled "An Act making appropriation to pay mileage and per diem of the Presidential electors of Texas for the year 1921, and declaring an emergency."

#### Adjournment.

On motion of Senator McNealus the Senate, at 5 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

#### APPENDIX A.

##### Senate Bill No. 8.

Committee Room,  
Austin, Texas, Jan. 13, 1921.

To the Honorable W. A. Johnson,  
President of the Senate:

Your Committee on State Affairs has had under consideration S. B. No. 8 and I am instructed to report same back to the Senate with the recommendation that it do pass and be printed in the Journal only.

CARLOCK, Chairman.

Following is the bill in full:

By Page. S. B. No. 8.

#### A BILL To be entitled

An Act making an appropriation of Nine Hundred Eighty-eight Thousand (\$988,000.00) Dollars to pay off and discharge one hundred seventy-eight (178) refunding coupon bonds of the State of Texas, dated January 1, 1904, due forty years after date, each in the sum of One Thousand (\$1,000.00) Dollars, bearing interest at three (3%) per cent, payable January 1st and July 1st of each year, aggregating One Hundred Seventy-eight Thousand (\$178,000) Dollars; also eighty-one (81) refunding coupon bonds each in the sum of Ten Thousand (\$10,000.00) Dollars, dated September 1, 1910, due forty years after date, bearing three (3%) per cent interest, interest payable January 1st and July 1st, said bonds aggregating Eight Hundred Ten Thousand (\$810,000) Dollars; all of which said bonds are

now held by the permanent school fund of the State, and declaring an emergency.

WHEREAS, the permanent school fund of this State now owns one hundred seventy-eight (178) refunding coupon bonds of the State of Texas, dated January 1, 1904, due forty years after date, bearing three (3%) per cent interest, which interest is payable January 1 and July 1, aggregating One Hundred Seventy-eight Thousand (\$178,000.00) Dollars, and also eighty-one (81) refunding coupon bonds of the State of Texas each in the sum of Ten Thousand (\$10,000.00) Dollars, dated September 1, 1910, and due forty years after date, bearing three (3%) per cent interest, payable January 1st and July 1st of each year, said bonds aggregating Eight Hundred Ten Thousand (\$810,000) Dollars, and

WHEREAS, the State Board of Education has an opportunity to invest the amount of money represented by the above bonds in other bonds in which said fund may be invested, and which other bonds bear a much larger rate of interest, and

WHEREAS, the State now has in the Treasury ample funds to discharge the bonds now held by the permanent school fund as herein described, and it would be of great benefit to both the permanent and the available school fund to discharge said bonds and invest the proceeds thereof in other securities permitted by law, and

WHEREAS, the State Board of Education, the holder of the above-named bonds, desires that the same be paid off and discharged.

THEREFORE be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of Nine Hundred Eighty-eight Thousand (\$988,000.00) Dollars is hereby appropriated out of any moneys in the Treasury not otherwise appropriated to pay off and discharge the following bonds of the State of Texas, to-wit: 178 refunding coupon bonds, dated January 1, 1904, due forty years after date, bearing three (3%) per cent interest, such interest payable January 1st and July 1st, the face of said bonds aggregating the sum of One Hundred Seventy-eight Thousand (\$178,000.00) Dollars, and also 81 refunding coupon bonds of the State of Texas, each in the sum of Ten Thousand (\$10,000.00) Dollars, dated September 1, 1910, due forty years after date, bearing interest at three (3%) per cent, such in-

terest payable January 1st and July 1st, the principal of said bonds aggregating Eight Hundred Ten Thousand (\$810,000.00) Dollars.

Sec. 2. The added benefits to be derived from the discharge of said bonds, and the investment of the proceeds in bonds bearing a higher rate of interest, which benefits would accrue to the available school fund of this State, creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days be suspended, and such rule is so suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

(Majority Report.)

Committee Room,  
Austin, Texas, Jan. 13, 1921.  
To the Honorable W. A. Johnson,  
President of Senate:

Your Committee on State Affairs has had under consideration S. B. No. 26 and I am instructed by the majority of said Committee to recommend that said bill do pass.

CARLOCK,  
Chairman.

(Minority Report.)

Committee Room,  
Austin, Texas, Jan. 13, 1921.  
To the Honorable W. A. Johnson,  
President of Senate:

A minority of your Committee on State Affairs having had under consideration S. B. No. 26, beg leave to report that said bill be reported back to the Senate with the recommendation that it do not pass.

PARR.

Engrossing Committee Reports.

Committee Room,  
Austin, Texas, Jan. 12, 1921.  
Hon. W. A. Johnson,  
President,  
Austin, Texas.

Sir: We, your Temporary Committee on Engrossed Bills, have had S. B. No. 2 carefully compared and find same to be correctly engrossed.

FLOYD,  
Vice Chairman.

Committee Room,  
Austin, Texas, Jan. 12, 1921.  
Hon. W. A. Johnson,  
President,  
Austin, Texas.

Sir: We, your Temporary Committee on Engrossed Bills, have had S. B. No. 3 carefully compared and find same to be correctly engrossed.

FLOYD,  
Vice Chairman.

Committee Room,  
Austin, Texas, Jan. 12, 1921.  
Hon. W. A. Johnson,  
President of the Senate,  
Austin, Texas.

Sir: We, your Temporary Committee on Engrossed Bills, have carefully compared S. B. No. 1 and find same to be correctly engrossed.

FLOYD,  
Vice Chairman.

#### Enrolling Committee Reports.

Committee Room,  
Austin, Texas, Jan. 12, 1921.  
Hon. W. A. Johnson,  
President of Senate.

We, your Committee on Enrolled Bills, have had S. B. No. 3 carefully compared and found same to be correctly enrolled.

H. L. DARWIN,  
Chairman.

Following is the bill in full:

S. B. No. 3.

#### A BILL To be entitled

An Act making an appropriation to pay the mileage and per diem of the Presidential Electors of Texas for the year 1921, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of Two Thousand, Five Hundred Dollars, or so much thereof as may be necessary, is hereby appropriated out of the general revenue not otherwise appropriated to pay the mileage and per diem of the Presidential Electors of Texas.

Sec. 2. That the certificate of the Secretary of the Electoral College, stating the number of days that the College was in session, shall be sufficient evidence to the Comptroller of Public Accounts of the State of

Texas to draw his warrant upon the State Treasury for the amount due each Elector.

Sec. 3. Whereas, the Presidential Electors have performed their duties as required by law, public policy demands that they should be paid, therefore an emergency and an imperative necessity exist that the constitutional rule requiring bills to be read on three several days in each House be suspended, and same is hereby suspended, and that this Act take effect from and after its passage, and it is so enacted.

Committee Room,  
Austin, Texas, Jan. 12, 1921.  
Hon. W. A. Johnson,  
President of Senate.

We, your Committee on Enrolled Bills, have had S. B. No. 2 carefully compared and found same to be correctly enrolled.

H. L. DARWIN,  
Chairman.

Following is the bill in full:

S. B. No. 2.

#### A BILL To be entitled

An Act making an appropriation to pay the contingent expenses of the Regular Session of the Thirty-seventh Legislature of the State of Texas, convened January 11, 1921; providing how accounts may be approved, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of Fifty Thousand Dollars, or so much thereof as may be necessary, is hereby appropriated out of the general revenue not otherwise appropriated to pay the contingent expenses of the Regular Session of the Thirty-seventh Legislature of the State of Texas.

Sec. 2. The approval of the Chairman of the Committee on Contingent Expenses of the Senate, approved by the President of the Senate, or the Chairman of the Committee on Contingent Expenses of the House of Representatives, approved by the Speaker of the House, shall be sufficient evidence to the Comptroller of Public Accounts upon which to audit the claims and issue warrants for the respective amounts upon the State Treasury.

Sec. 3. Whereas, the Regular Session of the Thirty-seventh Legislature is in session and public policy requires the appropriation as set forth in Section 1 of this Act, therefore an imperative public necessity exists that the constitutional rule, requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and that this Act take effect from and after its passage, and it is so enacted.

Committee Room,  
Austin, Texas, Jan. 12, 1921.  
Hon. W. A. Johnson,  
President of Senate.

We, your Committee on Enrolled Bills, have had S. B. No. 1 carefully compared and found same to be correctly enrolled.

H. L. DARWIN,  
Chairman.

Following is the bill in full:

S. B. No. 1.

A BILL  
To be entitled

An Act making an appropriation to pay the per diem and mileage of members and per diem of officers and employes of the Regular Session of the Thirty-seventh Legislature of the State of Texas, convened on the 11th day of January, 1921; providing how accounts may be approved, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of One Hundred and Fifty Thousand Dollars, or so much thereof as may be necessary, is hereby appropriated out of the general revenue not otherwise appropriated to pay the per diem and mileage of members and the per diem of the officers and employes of the Regular Session of the Thirty-seventh Legislature of the State of Texas.

Sec. 2. The certificate of the Chief Clerk of the House of Representatives, approved by the Speaker thereof, or the Secretary of the Senate, approved by the President thereof, shall be sufficient evidence to the Comptroller of Public Accounts upon which to audit the claims and issue the warrants for same upon the State Treasury for the respective amounts.

Sec. 3. Whereas, the Regular Ses-

sion of the Thirty-seventh Legislature is in session and public policy requires the appropriation as set forth in Section 1 of this Act, therefore an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and that this Act take effect from and after its passage, and it is so enacted.

## APPENDIX B.

(Printed by authority of President of Senate.)

Comptroller's Department,  
Austin, Texas, Jan. 13, 1921.

Hon. W. A. Johnson, President, and  
Members of the Senate.

Gentlemen: For your information I hand you herewith the letter of transmission and a synopsis of my annual report to the Governor for the fiscal year ending August 31, 1920. The detailed report showing schedules, tables and recapitulation from the various counties were late getting into the hands of the public printer on account of my inability to obtain complete reports from several of the tax assessors and tax collectors over the State, which were necessary to include in the various tables for the final report. Four of these county officials have gotten their annual reports to this office within the last twenty days.

For the above reason my annual report went to the printer too late, in their already crowded and overworked condition to enable them to deliver the printed report in time for the opening of the Session of the Legislature. The following synopsis contains the essence of what my annual report will show and all of the schedules, tables of value, etc., are all prepared and the original on file in the Auditing Division in the Comptroller's Department.

Any information that my Department can furnish you or any member of the Senate, relative to the annual report or of the State's affairs in general, will be cheerfully furnished, since we are, yours to command,

M. L. WIGINTON,  
Comptroller.

Austin, Texas, Sept. 1, 1920.  
To His Excellency, W. P. Hobby, Governor of Texas.

Dear Sir: In compliance with Chap-

ter 17, Section 19, of the General Laws of the State of Texas, as passed by the Fourth Called Session of the Thirty-first Legislature, I submit herewith the annual report of the Comptroller's Department, for the fiscal year beginning September 1, 1919, ending August 31, 1920.

In transmitting this report I take pleasure in directing your attention to the splendid condition of the State Treasury as of September 1, 1920, which shows a net balance in the State revenue account of \$8,840,758.79.

I submit the following statement of total receipts and disbursements for the fiscal year beginning September 1, 1919, and ending August 31, 1920:

Balance State Treasury,	
Sept. 1, 1919.....	\$ 7,942,531.91
Total receipts Sept. 1,	
1919, to Aug. 31, 1920..	40,360,269.92
Total .....	\$48,302,801.83
Disbursements Sept. 1,	
1919, to Aug. 31, 1920..	34,750,685.93
Balance in State Treasury	
Sept. 1, 1920.....	\$13,552,115.90

I submit the following summary of property value as shown by the tax rolls for 1919 and 1920. Total valuation shown by the tax rolls of 1919 is \$3,200,295,205.00, and the total value of 1920 is \$3,390,954,152.00, showing an increase of taxable value of \$190,658,947.00.

The total taxes charged on 1919 rolls was \$24,919,216.00. The total taxes charged for 1920 is \$21,816,528.00, a decrease from amount of 1919 tax rolls of \$3,102,688.00, this being due to reduction of tax rate for 1920.

I submit the following statement in regard to Comptroller's Department for the fiscal year September 1, 1919, to August 31, 1921. The total appropriation was \$128,495.22 and the total expenditures was \$120,173.01, leaving an unexpended balance of \$8,322.21.

The total appropriation for the Auditing Division of the Department was \$39,750.00 and expenditures by this division was \$37,046.22, leaving an unexpended balance in this division of \$2,703.78.

I submit the following statement of collections made by the Permit Division (Dean Prohibition Law) of this Department from October 24, 1919, (date law was effective), to August 31, 1920:

Permit Fees at \$5.00 each	\$10,905.00
Supplies furnished at	
cost .....	2,607.13

Total receipts .....\$13,512.13

The splendid statement as shown above of the State's finances is largely due to the passage of legislation increasing the State's revenue from sources other than a direct tax and the principal increase of income has been derived from gross receipts tax on oil.

The gross receipts tax one and one-half per cent on oil from September 1, 1919, to August 31, 1920, is \$3,018,432.73. While a member of the Legislature and being the author of the bill taxing oil production, I take pleasure in submitting the information that during your last term of office and during the operation of this law there has been received from this one source alone \$6,803,695.18. While gross receipt tax from other sources will show in addition to the oil tax approximately \$1,400,000.00, for the same period during your present term.

The above stupendous amounts have been handled on one desk with one clerk and one stenographer and represents receipts from oil companies in the State who voluntarily have paid the tax. I have information at hand of many, many oil producers in the State who are not paying the tax. In a two days' visit into one of the oil fields I collected \$32,020.72 from parties in that field who had never paid the tax. If the Legislature would make provisions for salaries and traveling expenses for two capable men to travel and enforce the payment of this tax, I confidently believe that a half million dollars might be added to the State's revenue from this source alone. I call your attention to this because it is very important.

Provision for the equalization of taxes should be provided for, as required by our Constitution. Article 8, Section 18, provides that: "The Legislature shall provide for equalizing, as near as may be, the valuation of all property subject to or rendered for taxation (the County Commissioners' Court to constitute a Board of Equalization); and may also provide for the classification of all lands with reference to their value in the several counties."

The present statutory provisions for the purpose of equalization of

taxation have not brought about the desired result and gross inequalities are shown by the tax rolls of this State now on file in this department.

I suggest that a probable solution would be the creation of a State Board of Classification, as provided for in the above quoted article and section of the State Constitution. Their duties could be prescribed under constitutional authority and provisions made for certification to the County Board of Equalization, and prescribe their duty in regard to such classification. They are also a constitution board but on account of being with limited territorial jurisdiction cannot procure the necessary information for a general equalization of taxable values as between counties but can only equalize taxation in their respective county.

It is my pleasure to report that since receiving appointment at your hand January 1 of the present year, I have worked out and installed in the General Warrant Room of this Department a modern loose leaf posting system of accounting, such as is used in modern up-to-date banks of the State, carrying individual accounts, issuing separate warrants and giving daily balances on every appropriation made by the Legislature. This in my judgment was the crying need of this Department and has been for all the years, and in this connection permit me to say that I have established the same method of revising the list, establishing a modern system of loose filing card indexing into the Pension Department, which in my judgment is in perfect condition for the first time.

With gratitude to you personally for the opportunity to serve the State in this important Department, the above is

Respectfully submitted,  
M. L. WIGINTON,  
Comptroller.

#### FOURTH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, January 14, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Baugh.	Lewis.
Bledsoe.	McMillin

Buchanan.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rogers.
Darwin.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

Hertzberg.  
Murphy.

Absent.

Present—Not Voting.

Bailey.	Richards.
Davidson.	Russell.
Dorough.	Suiter.
Harp.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

Excused.

On motion of Senator Parr, Senator Murphy was excused for today.

On motion of Senator McNealus, Senator Buchanan was excused for today.

#### Bills and Resolutions.

By Senator Parr:

S. B. No. 41, A bill to be entitled "An Act to repeal Chapter 160 of the Acts of the Regular Session of the Thirty-sixth Legislature, approved April 3rd, 1919, the same being 'An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including the fixing of a minimum wage; providing for an appropriation therefor and fixing penalties for violating this Act, etc., and declaring an emergency.'"

Read the first time and referred to the Committee on Labor.

By Senator Murphy:

S. B. No. 42, A bill to be entitled "An Act providing that all trial courts in this State, before being authorized and empowered to impose any punishment or fine against another party for any alleged constructive contempt of said courts covering any alleged acts or conduct of said party, arising outside of and not in the presence of said courts, shall